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OF THE

NEW-YORK

HISTORICAL SOCIETY,

FOR THE YEAR 1821.

VOLUME III.

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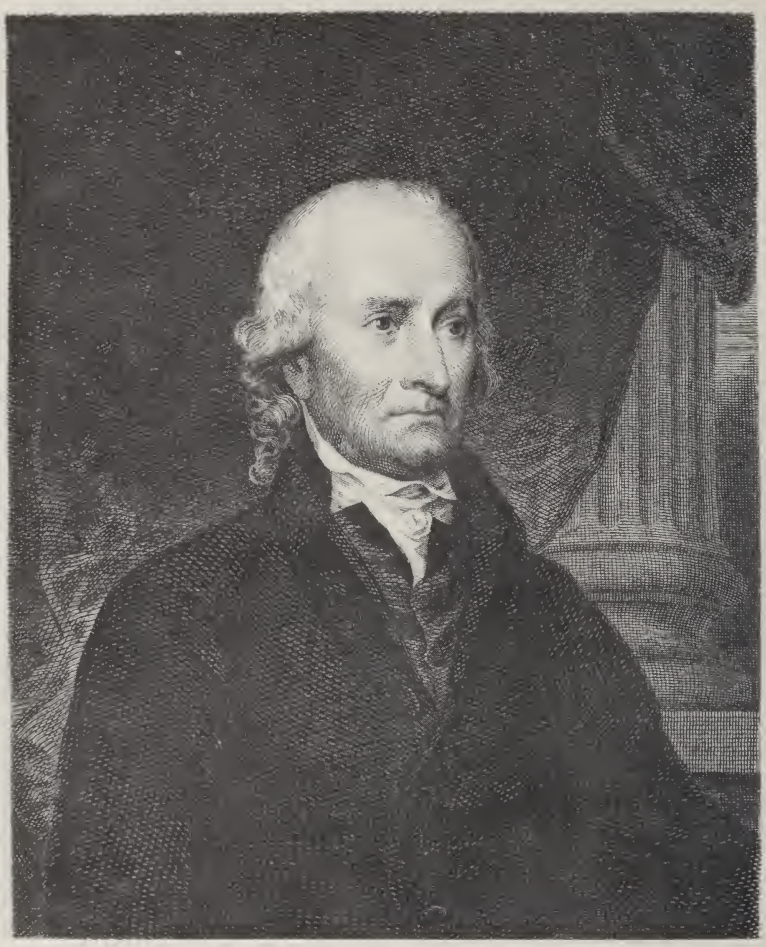
NEW YORK



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COLLECTIONS

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NEW-YORK

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NEW-YORK:

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PREFACE.

The Historical Society cannot submit their present volume of Collections to the public, without the accustomed privilege of prefatory observation.

Several years have elapsed since the appearance of their second volume; during which time their exertions have been directed chiefly to augmenting their catalogue of books, and adding to their collection of historical documents. In these respects they have been peculiarly successful. Through the activity of their members, and the liberality of individuals, they have obtained the manuscripts of several distinguished actors in the late American revolution, and they venture to declare, that their Collection, both in value and extent, is unequalled in any institution in the country. Their library is large and extensive, and, by a recent arrangement, affords every facility to historical research consistent with its safety.* In making these efforts, the Society were induced to anticipate their resources, not without consequent embarrassment. But they have now sufficient reason to believe that the munificent act of the Legislature of 1814, will be realized during the ensuing winter; in which event, a design long and ardently cherished, will be prosecuted, of publishing an annual volume. For this purpose the most ample and valuable materials are already prepared.

In forming the present volume of materials which have been already before the public, they have not acted unadvisedly. Anniversary addresses are, for the most part, dedicated to purposes of form, and generally subservient to the occasion. But they are induced to think differently of the essays now here first collected. They not only discuss subjects important in themselves, but intimately connected with the views of the Society. That the subjects are treated in a

* The Library of the Society is open on the Wednesday and Saturday of each week, under the attendance of Mr. Hutchins, the sub-librarian.

popular manner, will not, it is hoped, exclude them from the attention of the learned. Public opinion has indeed pronounced so highly of their merits, that a general wish was manifested to secure to them a more permanent duration than is usually allotted to the fugitive form in which they first appeared.

The latter portion of the volume consists of communications highly interesting. The Letters of the late Hon. Samuel Jones, procured through the zeal of a most active member, are so valuable and so pertinent, that they excite a regret that the distinguished writer had not found leisure for more extensive contributions.

Mr. Bozman, in searching the records of Maryland, for the composition of his valuable history, discovered a correspondence, held at an early date, between the authorities of that state and our own, when a Dutch colony. These records throw much light on our affairs at that period, and the Society acknowledge with pleasure, their obligations to the zeal by which they were procured.

Dr. Mease, of Philadelphia, in an interesting memoir, has described the medals which have been struck at different times, in honour of our heroes, and every American will applaud the patriotic feeling which induced that gentleman to make better known the honours awarded by a grateful country, to the vindicators of her independence, and the defenders of her rights.

In the year 1814, the Honourable the Corporation of this city, granted the Society the spacious and convenient apartments in which they hold their meetings. No doubt exists, that, on the expiration of their lease, the same liberality will continue to them their present advantages. On their part, the Society will omit no exertion to fulfill the high duties to which they are pledged, having ample reason, in the review of the past, to indulge the most flattering anticipations.

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AN

INAUGURAL DISCOURSE,

DELIVERED BEFORE

THE NEW-YORK HISTORICAL SOCIETY,

BY THE

HONOURABLE GOUVERNEUR MORRIS,

(PRESIDENT,)

4th SEPTEMBER, 1816.

NEW-YORK HISTORICAL SOCIETY.

Resolved, That the thanks of this Society be presented to the Honourable GOUVERNEUR MORRIS, for the Inaugural Discourse, delivered by him this day; and that Doctor DAVID HOSACK, SAMUEL BOYD, Esq. and Mr. JOHN PINTARD, be a Committee, to communicate this Resolution, and to request a copy of the Address for publication.

Extract from the minutes.

JOHN PINTARD,

Recording Secretary.

September 4th, 1816.

DISCOURSE.

&c.

Gentlemen,

The place your partial kindness has called me to occupy seems to require, and I hope, therefore, will excuse an attempt to point out some benefits which may be derived from this Institution: something more to repay the munificence of our State Legislature than the grateful sentiment which it has inspired.

Let me, however, before I enter on the subject, express our thanks to the honourable Corporation of New-York for the convenience we derive from their goodness. The intelligent liberality which devoted a spacious building to Science and the Arts, not only reflects honour on them, but sheds lustre on this great commercial emporium of the United States. Let the sordid collect and the riotous squander hoards of useless or pernicious treasure; be it yours, municipal fathers, to expend the fruit of honest industry on objects which embellish your city, and spread the influence of learning, genius, and taste, over the hearts and minds of its numerous inhabitants. Your conduct has proved your conviction, that, in order to promote virtue and multiply the sources of social bliss, wise magistrates will direct the people to laudable pursuits, and impressing on them a just contempt for sensual gratification, raise and adorn the moral dignity of man.

We live in a period so enlightened, that to display the use of History would be superfluous labour. It would be the mere repetition of what has already been expressed, by eminent authors, on various occasions. They have told us that History is the science of human

nature; philosophy teaching by example; the school of princes.

Dazzled by the splendour of such brilliant eulogy, the mind's eye is bereft of distinct vision. But reason, pausing and collecting her powers, raises a great preliminary question: What is History? Is it the eloquence of Livy, the shrewdness of Tacitus, or the profound sense of Polybius?

Not only those who have participated in the conduct of national affairs, but those also, whose attention has been engrossed by personal concerns, cannot have failed to observe, that facts, as well as motives, are frequently misrepresented. That events are attributed to causes which never existed, while the real causes remain concealed. Presumptuous writers, affecting knowledge they do not possess, undertake to instruct mankind by specious stories, founded on idle rumour and vague conjecture. Those who are well informed smile at the folly. Great minds disdain to tell their own good deeds: it seems, moreover, to those who have managed public business, almost impossible that the tittle tattle of ignorance should meet with belief. Nevertheless, such writings, though sheltered by contempt, from contemporaneous contradiction, are raked out, in a succeeding age, from the ashes of oblivion, and relied on as authority. History, compiled from such materials, can hardly teach us the science of human nature. It is, at best, an entertaining novel, with the ornament of real names. Philosophy, indeed, at a later day, may bring her balance of probability, put the evidence of opposed facts in different scales, and deduce fair-seeming conclusions from an assumed principle that man is a rational creature. But is that assumption just? or, rather, does not History show, and experience prove, that he is swayed from the course which reason indicates, by passion, by indolence, and even by caprice? When the foundation is false, the superstructure must fall. Such writings, therefore, however illumined by the rays of genius, or adorned by the charms of style, instead of showing a man a just image of what he is, will frequently exhibit the delusive semblance of what he is not.

When we consider History in the second point of view, as teaching morality by example, it seems evident that examples, if not drawn from real life, instead of informing, may mislead the mind, and instead of purifying, corrupt the heart. Neither is it certain that wholesome nourishment will always be extracted even from truth. Like other food, it may be so mixed and manipulated as to nauseate, or so seasoned as to give false appetite, stimulate morbid sensibility, and excite spasmodic action. A facetious writer who, in a rapid view of centuries, ridicules the misery of injured virtue, displays the glory of successful vice, laughs at the restraint of moral principle, and chuckles at the commission of crimes, may (if he please) call his work philosophy teaching by example; but example so selected, and genius so employed, are more likely to accomplish a scoundrel than to form an useful member of society.

Again—if History be taken as the school in which statesmen are to be taught, there can be little hope that politics,—that sublime science to make a nation great and happy,—will be acquired by reading the relation of mutilated events, attributed to false causes. Such compilations tend to inculcate erroneous notions; and these, where the fate of millions is concerned, can never be indifferent. If measures pregnant with misery are considered as sources of prosperity, the best intentions may produce the worst effects.

Mature reflection, therefore, will diminish our surprise that many, skilled in History, are ignorant of the world. Long is the list of learned men who know not how to manage the common concerns of life, and not a few are rendered, by the violence of untamed passion, incapable of controlling themselves, much less of governing their fellow-creatures. Perhaps it is not rash to suppose that more accurate, more extensive, more useful knowledge of our nature may be derived from the intuitive perception and personificating power of Shakspeare, than from the laborious research and acute discussion of Hume.

Many important events are on record, and however dark and doubtful the testimony of ancient chronicles,

there exists a great number of authenticated facts. These, when collected, may be called the Skeleton of History. But how much must depend on judgment and skill in putting the scattered materials together: and, again, the solid bones duly placed and connected, those muscles must be added which give symmetry, strength, and grace. At last the goodly form, complete in all its fair proportion, when language spreads a finish over the promœthian frame, how must its appearance be affected by the colouring it receives? The same event, treated by different historians, comes white from one hand, tinged with a rosy blush from another, and from another black.

The reflection and experience of many years have led me to consider the holy writings, not only as most authentic and instructive in themselves, but as the clue to all other history They tell us what man is, and they, alone, tell us why he is what he is: a contradictory creature that, seeing and approving what is good, pursues and performs what is evil. All of private and of public life is there displayed. Effects are traced, with unerring accuracy, each to the real cause. We see, in the beautiful story of Joseph, how envy, destroying the peace of families, leads to cruelty and to crime. How a dignified condition is degraded by lust. How the wrath of despised wantonness stimulates a woman to deadly revenge. How the heart-burnings in a shepherd's family drove a minister of state to the foot of Pharaoh's throne. And how, for purposes still more important, a shepherd-boy was enabled to govern a mighty kingdom.

From the same pure Fountain of Wisdom we learn that vice destroys freedom; that arbitrary power is founded on public immorality, and that misconduct in those who rule a republic, the necessary consequence of general licentiousness, so disgusts and degrades the nation, that, dead to generous sentiment, they become willing slaves. We read that, in the latter days of Samuel, the judges "*turned aside after lucre, and took bribes and perverted judgment.*" A more miserable state of society can hardly be conceived. Then laws to

protect the weak against the strong, the innocent against the wicked, become instruments of oppression and torture. Then order is lost, confusion rules, and, to borrow expressions from the favourite bard of nature,

> "Wrong becomes right, or rather, right and wrong,
> "Between whose endless jar justice resides,
> "Have lost their names; and so has justice too."

Reduced to this forlorn condition, the more sedate and respectable members of the community, seeing no security for property or for life, seek shelter under the wings of absolute power. "*The elders said, make us a king to judge us like all the nations.*" Samuel, his aged bosom still warm with patriotic sentiment, endeavoured to preserve the old form of equal right. To this end, he assembled the people, and displayed a highly wrought, but faithful, picture of evils which would grow out of despotism. In vain. Men sore with present suffering have not temper to reflect on remote consequence. In the maddening moment, they are deaf even to the voice of a prophet. "*The people said, we will have a king over us, that we may be like all the nations, that he may judge us, and go out before us, and fight our battles.*" Here is a profound lesson of political wisdom, given long before Aristotle's Ethics, very long before Machiavel's Discourses on the first Decade of Livy, and still longer before Montesquieu's Spirit of Laws. When the last of these authors, in sprightly repetition of his predecessors, tells us that virtue is the principle of republics, he offers human testimony to confirm divine authority. That form of government which God himself had established; that code of laws which God himself had promulgated; those institutions which infinite wisdom had provided, in special relation to the climate, soil, and situation of the country, to the genius, temper, and character of the people, became intolerable from the prevalence of vice and impiety. It is a trite maxim, that man is governed by hope and fear. The desire of pleasure, wealth, and power, the apprehension of poverty, pain, and death, prompt generous reward; speedy severe punishment, are the human means to invigorate duty.

stimulate zeal, correct perversity, and restrain guilt. But experience teaches that profligates may gain all the enticements of life, and criminals escape punishment, by the perpetration of new and more atrocious crimes. Something more, then, is required to encourage virtue, suppress vice, preserve public peace, and secure national independence. There must be something more to hope than pleasure, wealth, and power. Something more to fear than poverty and pain. Something after death more terrible than death. There must be religion. When that ligament is torn, society is disjointed, and its members perish. The nation is exposed to foreign violence and domestic convulsion. Vicious rulers, chosen by a vicious people, turn back the current of corruption to its source. Placed in a situation where they can exercise authority for their own emolument, they betray their trust. They take bribes. They sell statutes and decrees. They sell honour and office. They sell their conscience. They sell their country. By this vile traffic they become odious and contemptible. The people, compelled to gulp down the poison they had mingled, feel their vitals twinge, and in anguish exclaim, *Away with these pretended patriots. Begone, hypocrites. Begone. Let a single man be invested with executive and judicial authority.* Master and owner of the state, he will, for his own sake, protect it against foreign foes, and provide for an impartial administration of justice; that his subjects, secured and enriched, may multiply and thus increase his wealth and power. In the simple language of Holy Writ they say, "*He will judge us, and go out before us, and fight our battles.*" Two centuries have not yet passed away since Europe saw a similar effect from a similar cause. The Danes, writhing under oppressions of their nobility, conferred absolute power on their king by general suffrage.

We find in Sacred History another important political lesson: that the possession of sovereign power corrupts the best heart. The second Jewish king, a man peculiarly favoured by the King of kings, after leading an exemplary private life, no sooner ascends a throne, than, a prey to unbridled desire, he becomes first vicious,

then criminal. If, as the advocates of infidelity have gratuitously supposed, that book had been written by bigoted priests, they would have concealed the guilt of their pious protector. They would have held him out, an impeccant example, for admiration and imitation. They would have covered with bright varnish, the hideous traits of adultery and assassination. But truth, telling what he was, gives a lesson awfully instructive. It teaches the frailty of our nature, and the danger of trusting too much power even to the purest hands.

Another sublime lesson follows, in the succeeding reign. The widest scope of genius, the completest acquirement of science, the maturest strength of intellect, are combined in one man ; and that man wears a crown. By his wisdom he accumulates the world's wealth in one of its narrowest districts. He rears a stupendous monument of pious magnificence. It is consecrated to the living God. And, then, the royal architect commits follies that would almost disgrace an idiot. In the prostration of manly strength, he seeks pleasures that elude his grasp ; leaving, in a bosom chilled by age, the dullness of satiety, and the loathings of disgust. Happy had the wise man's weakness been restrained, even in that excess. But, alas ! his bright intellect is so obscured, by the apathy of exhausted desire, that he worships sticks and stones, in pitiful condescension to the consorts of his lust. If this part of the story were tested, by fashionable rules of evidence, we should perhaps be told that, as superlative wisdom cannot be combined with excessive weakness, the tale of his debauchery must be an interpolation, by some foe to his fame, or the account of his talents, an invention to gratify national pride. Thus Solomon's character might come, from the philosophic crucible, all gold or all dross. But experience avouches the historic truth. We have known in English annals, a man whose capacious mind embraced all science. With a rare power of intuition, he not only pointed out the means by which knowledge might be enlarged, but seems to have perceived the remote bound to which it could extend. And yet that wonderful man sullied his soul, by accepting a bribe.

The character a great English poet gave to Chancellor Bacon, is not wholly inapplicable to the Jewish king: "The greatest, wisest, meanest of mankind."

But the most important of all lessons is, the denunciation of ruin to every state that rejects the precepts of religion. Those nations are doomed to death who bury, in the corruption of criminal desire, the awful sense of an existing God, cast off the consoling hope of immortality, and seek refuge from despair in the dreariness of annihilation. Terrible, irrevocable doom! loudly pronounced, frequently repeated, strongly exemplified in the sacred writings, and fully confirmed by the long record of time. It is the clue which leads through the intricacies of universal history. It is the principle of all sound political science.

The lapse of ages, and the change of manners, of religion, of government, of customs, and of character, frequently render examples of one age and country inapplicable to the circumstances of other countries and of other times. The ferocity of barbarians, and the perfidy of courtiers, become, indeed, more striking by satiric contrast; but rude hospitality cannot be made a model for polite conviviality; neither can the charms of refined conversation correct, by example, the coarseness of rustic mirth. As little can the stern severity of Roman virtue, though it swell the youthful bosom with enthusiastic admiration, teach the conduct which befits a Christian people. Hearts chastened by the religion of love would recoil from the Brutus who beheads his son, and the Brutus who plants a dagger in the breast of his friend, but for the lavish encomium of orators, poets, and historians. Those celebrated names are embalmed by the incense of eighteen centuries, and our sight grows dizzy as we snuff the deleterious fragrance of flowers strewed on their tombs by lengthened generations. But when the gloomy Philip consigns Don Carlos to an early grave; when the amorous Henry sends Biron to the scaffold, we cannot but pity such interesting victims, though their lives may have been justly forfeited to the law. Whence this difference of sentiment? It may, perhaps, be found in that difference of manners

which makes us view with horror the Roman practice of sending their superannuated slaves to perish on an island in the Tiber, and fills us with astonishment that the African Scipio should be celebrated for chastity, because he did not violate a distinguished female prisoner. The laws and manners of every nation, taken in the mass, have, generally speaking, a due relation and proportion. They so influence and correct each other, that the business of life goes smoothly on. The social harmony is full. There is no jar. And, though some features may be too salient, there is no deformity. Yet particular institutions may be selected, which, submitted to foreign judgment, will be pronounced monstrous or ridiculous. Travellers, who view what they see through the medium of preconceived notions, measure what they meet with by the standard of early education, and weigh the conduct of others in the scale of their own opinion, find that, wherever they go, there is much to blame and much to reform. But when strangers, blinded by prejudice, are raised to power, they multiply proofs, already too numerous, that regulations uncongenial to national feeling are inconvenient, if not injurious, and that rash reformation leads to ruin. From the same cause it happens that institutions which have been fruitful of good, in one age or nation, may be as fruitful of evil in another nation, or another age.

Every man, therefore, will find the history of his own country the most interesting and the most instructive. Moreover, as the state of society is changed, by time and chance, the laws, too, must change. New disorders require new correctives, and when the reason of ancient ordinances no longer exists, they fall into oblivion. History and law, therefore, are sister sciences. They support and enlighten each other. But the history of one country can have little connexion with the laws of another, and still less can the native code be modified by exotic manners.

Permit me then, gentlemen, to offer my cordial congratulations to you, and, through you, to our fellow-citizens, that this Institution is rapidly collecting and ac-

cumulating materials for a history of our own country. Materials which, establishing facts by indisputable authority, will enable the future historian accurately to deduce effects from the true cause, correctly to portray characters taken from real life, and justly assign to each his actual agency. Let us, humble as we are, and humble as we ought to be, comparing ourselves with the eastern hemisphere, let us proudly aver, that if, in modern history, the period, when barbarous hordes broke the vast orb of Roman empire, be one great epoch, the discovery which immortalized Columbus, presents another not less worthy of attention. If that era, when Europe poured her crusading population on the southern shores of the Mediterranean Sea, mark the lowest depression of human character, its greatest elevation will be found in the present age. Our struggle, to defend and secure the rights of our fathers, tore away that veil which had long concealed the mysteries of government. Here, on this far western coast of the broad Atlantic Ocean; here, by the feeble hand of infant unconnected colonies, was raised a beacon to rouse and to alarm a slumbering world. It awoke, and was convulsed. What tremendous scenes it has exhibited! The history of our day is, indeed, a school for princes; and, therefore, the proper school for American citizens. Exercising, by their delegates, the sovereign power, it is meet they know how to assert and how to preserve their freedom. Let them learn the mischief that follows in the train of folly. Let them learn the misery that results from immorality. Let them learn the crush of impiety. Let them learn, also, for such we trust will be the final event, that when the altars of idolatrous lust had been overturned, and those of Jehovah restored; when nations severely scourged had sincerely repented, they were favoured with as much civil liberty, and as much social enjoyment, as consist with their absolute and relative condition. Permit me, also, to cherish a belief that the partial distress and general inconvenience produced among us, by late events, will have a salutary influence on public manners. War, fruitful as it is with misery and wo, is neverthe-

less medicinal to a nation infected by the breath of foreign pollution, engrossed by the pursuit of illicit gain, immersed in the filth of immoral traffic, or unnerved by the excess of selfish enjoyment. It draws more close the bond of national sentiment, corrects degrading propensities, and invigorates the nobler feelings of our nature.

I add, gentlemen, with the pleasure and the pride which swell your bosoms, that America has shown examples of heroic ardour not excelled by Rome, in her brightest day of glory, and blended with milder virtue than Romans ever knew. These examples will be handed down, by your care, for the instruction and imitation of our children's children: make them acquainted with their fathers; and grant, Oh God! that a long and late posterity, enjoying freedom in the bosom of peace, may look, with grateful exultation, at the day-dawn of our empire.

Gentlemen,

By the occasion which called us together, we are reminded that Hudson discovered, in 1609, the river which bears his name. Imagine his amazement, had some prophetic spirit revealed that this island would, in two centuries from the first European settlement, embrace a population of twice fifty thousand souls.

Europe witnessed, in eight years, four events which had great influence on the condition of mankind. The race of English monarchs expired with Elizabeth in 1603. Henry the Fourth of France was assassinated in 1610. In the same year the Moors were expelled from Spain. And, in the next, Gustavus Adolphus became king of Sweden. These events excited, as they ought, much attention. But the discovery of Hudson's River, within the same period, was of such trivial estimation as to occupy no space in public annals.

Oh man! how short thy sight. To pierce the cloud which overhangs futurity, how feeble. But why be surprised that European statesmen, two centuries ago, were indifferent to what passed on the savage coast of

America; when, at the same time, the existence of Russia is unnoticed and almost unknown?

Little more than a century has elapsed since the decisive victory of Pultowa introduced the empire of the Czars to the society of European nations; an empire which, stretched out from Germany to Kamschatska, from the Black Sea to the Frozen Ocean, contains a greater extent than was ever traversed by the Roman eagle in its boldest flight. That vast empire, so lately known, and so little understood, resisted, unshaken, the shock of embattled Europe,—poured the rapid current of conquest back from the ruins of Moscow, to the walls of Paris, and stands a proud arbiter of human destiny.

A mission of no common sort was lately about to proceed from the New World to the Old. From that which in 1600 was a dreary wilderness, to that which in 1700 was a cold morass. It was contemplated that a vessel of novel invention, leaving this harbour, should display American genius and hardihood in the port of St. Petersburgh. If this expedition be suspended or laid aside, it is not from any doubt as to its practicability.

There are persons of some eminence, in Europe, who look contemptuously at our country, in the persuasion that all creatures, not excepting man, degenerate here. They triumphatly call on us to exhibit a list of our scholars, poets, heroes, and statesmen. Be this the care of posterity. But admitting we had no proud names to show, is it reasonable to make such heavy demand on so recent a people? Could the culture of science be expected from those who, in cultivating the earth, were obliged, while they held the plough in one hand, to grasp a sword in the other? Let those who depreciate their brethren of the West, remember that our forests, though widely spread, gave no academic shade.

In the century succeeding Hudson's voyage, the great poets of England flourished, while we were compelled to earn our daily bread by our daily labour. The ground, therefore, was occupied before we had leisure to make our approach. The various chords of our mother tongue have, long since, been touched to all their

tones by minstrels, beneath whose master-hand it has resounded every sound, from the roar of thunder, rolling along the Vault of Heaven, to the "lascivious pleasings of a lute." British genius and taste have, already, given to all "the ideal forms that imagination can body forth," a "local habitation and a name." Nothing then remains, for the present age, but to repeat their just thoughts in their pure style. Those who, on either side of the Atlantic, are too proud to perform this plagiary task, must convey false thoughts, in the old classic diction, or clothe in frippery phrase the correct conceptions of their predecessors. Poetry is the splendid effect of genius moulding into language a barbarous dialect. When the great bards have written, the language is formed; and by those who succeed it is disfigured. The reason is evident. New authors would write something new, when there is nothing new. All which they can do, therefore, is to fill new moulds with old metal, and exhibit novelty of expression, since they cannot produce novelty of thought. But these novel expressions must vary from that elegance and force in which the power and harmony of language have been already displayed.

Let us not, then, attempt to marshal, against each other, infernal and celestial spirits, to describe the various seasons, to condense divine and moral truth in mellifluent verse, or to imitate, in our native speech, the melody of ancient song. Other paths remain to be trodden, other fields to be cultivated, other regions to be explored. The fertile earth is not yet wholly peopled. The raging ocean is not yet quite subdued. If the learned leisure of European wealth can gain applause or emolument for meting out, by syllables reluctantly drawn together, unharmonious hexameters, far be it from us to rival the manufacture. Be it ours to boast that the first vessel successfully propelled by steam was launched on the bosom of Hudson's River. It was here that American genius, seizing the arm of European science, bent to the purpose of our favourite parent art the wildest and most devouring element.

The patron,—the inventor,—are no more. But the

names of Livingston and of Fulton, dear to fame, shall be engraven on a monument sacred to the benefactors of mankind. There generations yet unborn shall read,

> Godfrey taught seamen to interrogate,
> With steady gaze, tho' tempest-tost, the sun,
> And from his beam true oracle obtain.
> Franklin, dread thunder-bolts, with daring hand,
> Seized, and averted their destructive stroke
> From the protected dwellings of mankind.
> Fulton by flame compell'd the angry sea,
> To vapour rarified, his bark to drive
> In triumph proud thro' the loud sounding surge.

This invention is spreading fast in the civilized world; and though excluded as yet from Russia, will, ere long, be extended to that vast empire. A bird hatched on the Hudson will soon people the floods of the Wolga, and cygnets descended from an American swan glide along the surface of the Caspian Sea. Then the hoary genius of Asia, high throned on the peaks of Caucasus, his moist eye glistening while it glances over the ruins of Babylon, Persepolis, Jerusalem, and Palmyra, shall bow with grateful reverence to the inventive spirit of this western world.

Hail Columbia! child of science, parent of useful arts; dear country, hail! Be it thine to meliorate the condition of man. Too many thrones have been reared by arms, cemented by blood, and reduced again to dust, by the sanguinary conflict of arms. Let mankind enjoy at last the consolatory spectacle of thy throne, built by industry on the basis of peace and sheltered under the wings of justice. May it be secured by a pious obedience to that divine will, which prescribes the moral orbit of empire with the same precision that his wisdom and power have displayed, in whirling millions of planets round millions of suns through the vastness of infinite space.

AN

ANNIVERSARY DISCOURSE,

DELIVERED BEFORE

THE NEW-YORK HISTORICAL SOCIETY,

DECEMBER 7, 1818.

BY GULIAN C. VERPLANCK, ESQ.

"Omnibus his niveâ cinguntur tempora vittâ."—*Virgil.*

"Heureux qui est digne de peindre la vertu. Je n'espère point l'embellir; elle est trop audessus des ornamens frivoles de l'esprit—mais je lui rendrai homage. Je la presenterai dans sa majesteuse simplicité."—*Thomas. Eloge de D'Agueseau.*

NEW-YORK HISTORICAL SOCIETY,

8th December, 1818.

Dr. DAVID HOSACK, one of the Vice Presidents, in the Chair.

RESOLVED, That the thanks of this Society be presented to GULIAN C. VERPLANCK, Esq for the Discourse delivered by him the 7th inst before the Society, and that he be requested to furnish a copy for publication.

RESOLVED, That ANTHONY BLEECKER, Esq. JOHN BECK, M. D and JAMES STOUGHTON, Esq. be a Committee to wait on Mr. VERPLANCK, and communicate the preceding resolution.

JOHN PINTARD, *Rec. Secretary*,

ANNIVERSARY DISCOURSE.

On an occasion like this, addressing a society formed for the purpose of exploring and preserving the history of our own country, I know of no theme that can be selected so appropriate and so copious, as the eulogy of those excellent men who have most largely contributed to raise or support our national institutions, and to form or to elevate our national character.

The wide field of research, which the history of this hemisphere opens to us, may indeed present to the philosophical, as well as to the antiquarian inquirer, many objects of more curiosity, and, perhaps, some of greater utility. The observation of the various results in legislation or jurisprudence, in public and individual character, which have been produced in this great school of political experiment by hitherto untried combinations of the moral elements of society—the examination and arrangement of that immense mass of facts which our statistics exhibit—the investigation of the character, the languages, the traditions, the manners, and the superstitions of the aboriginal inhabitants of the country—the collecting and accurately ascertaining the minor facts and minuter details of those great achievements which have rendered the history of our liberties so glorious—all have their use and value. Hence may be drawn the materials which will enable the philosopher to pour new light on the moral and physical nature of man; and it is thus that are preserved those fleeting forms of the past, which may hereafter rise and live again at the powerful bidding of the poet or the painter.

But the habit of looking to our own annals for examples of life, and of rendering due honour to those illustrious dead, the rich fruits of whose labours we are now enjoying, has a more moral, and, I think, a nobler aim. In paying the tribute of admiration to genius, and of gratitude to virtue, we ourselves become wiser and better. Instead of leaving our love of country to rest upon the cold preference of reason, the slowest and most feeble of all motives of action, we thus call up the patriotism of the heart in aid to that of the head. Our love of country is exalted and purified by being mingled with the feelings of gratitude, and reverence for virtue; and our reverence for virtue is warmed and animated, and brought home to our hearts by its union with the pride and the love of our country.

In this respect we have not been faithful to our own honour. The short period of our existence as a people has been fruitful in models of public virtue. Other lands may boast of having given birth to men of rarer genius, and of more splendid achievement. Yet how often has that genius been the base flatterer or the willing instrument of oppression; how often has it been low and selfish in its ambition; how often black with crime. But the history of our illustrious men is a story of liberty, virtue, and glory. Such, however, has been our culpable negligence of their fame, that little other memorial is to be found of most of them, than what has been incorporated in the public records of their times. All that is instructive in their private biography, all that is individual in their characters, is rapidly fading from memory; and there is danger, lest to the next generation the names of Greene, and Marion, and Wayne—of Otis, Laurens, Rutlege, and Pendleton—of Dickinson, Sherman, Ellsworth, and Hamilton, will be mere names of history, calling up no associations, inculcating no example, kindling no emotion. Their memories will, indeed, be bright and ever during, but they will shine as from afar, like the stars of other systems, whose cheering warmth and useful light are lost in the distance.

It is not my present intention to attempt to supply any part of this deficiency. The collection of facts

either floating in the memories of contemporaries, or buried in the mass of unpublished correspondence and official documents, is an employment for which I have had neither the opportunity nor the leisure. The task which I have assigned to myself is much less laborious, but scarcely less grateful. It is the commemoration of some of those virtuous and enlightened men of Europe, who, long ago, looking with a prophetic eye towards the destinies of this new world, and regarding it as the chosen refuge of freedom and truth, were moved by a holy ambition to become the ministers of the most High, in bestowing upon it the blessings of religion, morals, letters, and liberty.

When we look back upon the earlier European discoveries and conquests in this hemisphere, the mind recoils with horror from the scene of carnage and devastation with which the mighty drama of American history opens. The genius and power of civilized man have scarce ever been displayed to his weaker and untaught brethren, except as ministering to avarice and ferocity; and never were that genius and power put forth in more terrible and guilty superiority, than when the American continent was first laid open to Spanish enterprise and valour. Unrelenting avarice, under the mask of religion, sent forth band after band of ferocious adventurers, to rapine and murder. In the powerful language of Cowper,

> The hand that slew, till it could slay no more,
> Was glued to the sword-hilt, with Indian gore.

Among these stern and bloody men, there was one of a far different mould. The young Las Casas,[a] whose spirit of adventure had induced him, at the age of nineteen, to accompany Columbus in his second expedition to the West-Indies, was one of those rare compounds

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a For the general facts of Las Casas' life, see Robertson's America, *passim*. Dupin; Bibliotheque des Auteurs Ecclesiastiques, 16me siecle. Rees' Cyclopedia, article, 'Las Casas." Nouveau Dictionnaire Historique, Paris, 1789; and especially "Apologie de Barthelemy Las Casas, Eveque de Chiappa," par M. Gregoire, in the Memoirs de l'Institut Nationale," An. 8.

which nature forms, from time to time, for the ornament and consolation of the human race, blending a restless and unwearied energy of mind with a heart alive to every kind affection, elevated by piety, warm with benevolence, and kindling at wrong. He saw, with grief and indignation, the crimes of his countrymen, and the cry of the oppressed entered deep into his heart. From that hour, like the young Hannibal, but in a purer cause, he vowed himself to one sacred object. Rejecting with scorn, every lure which interest or ambition held out to tempt him from his course, refuting, by the blameless sanctity of his life, all the calumnies which were showered upon him, despising danger, disregarding toil, braving alike the sneer of the world and the frown of power, he laboured with a benevolence which never cooled, and a zeal which knew no remission, for more than seventy years, as the protector of the Indian race. Dangerous as the navigation was at that period, he crossed the Atlantic nine times for this purpose, besides traversing Europe, and penetrating, in all directions, the trackless wilds of the new world. We see him at one time breaking through the restraints of courtly form, while he charged his sovereign to his face with the personal guilt of those atrocious measures which had entailed misery upon a numerous and innocent people whom Providence had placed under his protection, and urging this accusation home to his conscience with an impetuous eloquence which made the crafty and cold-hearted Ferdinand tremble before him. Then again, we find him, armed with that mysterious power which virtuous enthusiasm bestows, mastering a stronger mind than his own, and compelling the lofty and stern Ximenes to partake of his zeal. Then he returns back to his suffering people, and, amidst every form of danger and hardship, administers in person his own admirable plans for their protection, conversion, and instruction.

Finding that the impressions of his animated oratory upon his countrymen and their rulers were constantly effaced, and their effects frustrated by the arts, intrigues, and falsehoods of the interested, he addressed himself, through the press, to the whole Christian world. In

one of his publications[a] he described the devastation of those parts of America which had been subjugated by the Spaniards, with a copious and glowing eloquence which kindled the sympathies of all Europe.

In other works, he took a larger range of argument, and appealing in turns to the natural rights of man as pointed out by reason, and to that revelation which declares that God is no respecter of persons, without ever losing sight of his main object, he discussed some of the most interesting questions of liberty and public law, with a courage and truth of which modern Europe had seen no example.[b] It is a remarkable fact, and one which bears honourable testimony to the vigour and enlargement of his mind, that a Spanish ecclesiastic, of the fifteenth century, should have maintained that the peculiar form of civil poli y in a state ought to be determined by the will of the people, because, although the sanction is from above, the power of the people is the *efficient*, and their happiness the *final* cause of all government. In another work, in which he details at length the most probable means of relieving the wrongs, and ameliorating the condition of the Indians, he declares, that as liberty is the greatest of all earthly goods, and as all nations have an equal right to its possession, the attempt to subjugate any of them under the pretexts of religion, or of political expediency, is alike a crime against the natural and against the revealed law; and he adds, in words breathing more of the ancient Roman than of the Spaniard, that he who abuses power is unworthy to exercise it, and that no obedience is due to a tyrant. It is but too well known that these glorious labours in the service of freedom and humanity were in vain. Yet they were not wholly fruitless. Las Casas closed his long course of indefatigable philanthropy in his ninety-second year, and his virtues and venerable age was soothed by the knowledge that some few of his proposed

a Brieve Relacion de la Destruccion.

b See the "Apologie de Bart. Las Casas" of Gregoire. The abstract of Las Casas' opinions, given by Dupin, seem, in general, to justify Gregoire's eulogy, though it shows a greater mixture of the prejudices of the times, with his purer views of truth, than Mr. Gregoire seems willing to admit.

plans had been carried into successful operation, and had contributed, in no small degree, (as they do to this day,) to relieve the sufferings of the enslaved natives. He enjoyed, moreover, the cheering recollection of having called forth the testimony of the better spirits of his own nation against intolerance and persecution, and of having kindled among them an enlightened zeal for the best interests of mankind—a sacred flame, long cherished "as a light shining in a dark place," but now at last daily kindling into brighter and broader radiance, and doubtless destined to guide for many an age, the great and free nations of Spanish America to public virtue and true glory.

Johnson is related to have exclaimed, in one of those fine bursts of natural feeling which occasionally overpowered the narrowness of his political creed, "I love the University of Salamanca for their decision on the lawfulness of the Spanish conquests in America."[a] The decision to which Johnson had reference, was that of the two Universities of Salamanca and Alcala, on the public disputation, held at Valladolid, in 1550, between Las Casas and his ablest adversary, the learned Sepulveda, an acute, malignant, and bigoted sophist.

The thesis which Sepulveda maintained, was the right and duty of making war upon Pagans and heretics, in order to propagate the true faith. Las Casas refuted him upon the most liberal principles of universal toleration, and these doctrines received the solemn approbation of the two universities.

It is one of those melancholy instances of the retrogradation of the human mind which chill the hopes of the philanthropist, that about twenty-five years ago, a magnificent edition of all the works of Sepulveda was published by the Royal Academy of History at Madrid, in the introduction to which, that learned body did not hesitate to give their sanction to the doctrines of this apologist of oppression, and to approve of what they term "the exercise of a just and pious violence against Pagans and heretics."

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a Boswell's Life of Johnson.

I cannot leave the consideration of the character of Las Casas, without stopping to repel a charge which has attached itself to his fame, and to which the popularity of the several writers by whom it has been made, has given a very wide circulation. Far from us be that base selfishness which joys to see any surpassing excellence brought down to its own low level. Let us rather delight to linger at the good man's grave, and to pluck away with pious reverence "the weeds that have no business there."

The charge cannot be better stated than in the words of Dr. Robertson.

"The impossibility of carrying on any improvement in America, unless the Spanish planters could command the labour of the natives, was an insuperable objection to the plan of treating them as free subjects. In order to provide some remedy for this, Las Casas proposed to purchase a sufficient number of negroes from the Portuguese settlements on the coast of Africa, and to transport them to America, in order that they might be employed as slaves in working the mines and cultivating the ground.

"Cardinal Ximenes, however, when solicited to encourage this commerce, peremptorily rejected this proposition, because he perceived the iniquity of reducing one race of men to slavery, while he was consulting about the means of restoring liberty to another. But Las Casas, from the inconsistency natural to men, who hurry with headlong impetuosity towards a favourite point, was incapable of making this distinction. While he contended earnestly for the liberty of the people born in one quarter of the globe, he laboured to enslave the inhabitants of another region; and in the warmth of his zeal to save the Americans from the yoke, pronounced it to be lawful and expedient to impose one still heavier upon the Africans. Unfortunately for the latter, Las Casas's plan was adopted."[a]

This accusation has been loudly re-echoed by Ray-

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a Robertson's America, Vol. I. Book III. p. 317 of London edit. 1800

nal, Marmontel, De Pauw, and Bryan Edwards,[a] all of them ingenious and popular writers, though of but little authority as regards strict historical accuracy. From them it has passed without contradiction into many of our recent biographical compilations.[b]

This charge bears such strong marks of improbability upon the very face of it, and is in such direct opposition to the uniform character of Las Casas, and the whole current of his life and opinions, that it requires the most direct and positive evidence in its support, to entitle it to any credit with a candid mind. Now, it is remarkable, that the only authority for this accusation, which can be considered as an original and independent testimony, is the Spanish historian, Herrera;[c] and his language is by no means so strong or particular as that of Dr. Robertson, who has, after his usual manner, amplified and exaggerated the original statement, and spread over it somewhat of that warm colouring which always renders his historical pictures so striking and splendid in their general effect, and yet often so incorrect in their most important details. But even this testimony of Herrera, when critically examined, will be found to be of little weight.

It is unnecessary for me to go very minutely into the details of this investigation. Las Casas has lately found an ardent and able defender in a congenial spirit, the excellent Gregoire—a man, who, like Las Casas himself, has devoted a long life to the defence of liberal principles, and to labours of humanity, who, like him, too,

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a "Las Casas auquel il manquoit des notions justes sur les droits de l'homme, mais qui s'occupoit sans cesse du soulagement de ses chers Indiens," &c. says Raynal, with his usual flippancy and negligence of truth. Histoire Philosophique des Indes. Liv. VIII. See also De Pauw, Recherches sur les Americains, Tom. I. p. 120. and Bryan Edwards, who admits the fact, but being himself a defender of negro slavery, imputes no guilt to Las Casas. Edwards' West-Indies, Vol. II. p. 44. London, 1801.

b Dictionaire Historique, and Rees' Cyclopedia. The English General Biographical Dictionary, and Lempriere, have drawn their information from other sources, and do not mention the charge. I have been told that the great Biographical Dictionary, now publishing in Paris, gives no credit to this calumny, but I have not had an opportunity of consulting it.

c Historia de las Indias Occidentales, dec. II. lib. II. c. 20.

has been in turns a mark for the calumnies of the bigot and of the infidel; who, participating in all the enthusiasm, sharing in all the dangers, partaking in many of the delusions, but unpolluted by any of the crimes of the French revolution, with heroic moderation held on his steady course through all its tempestuous scenes, at one time the champion of toleration against bigotry, at another of his religion against triumphant and persecuting atheism;[a] the defender of learning and the arts, in the hour of their proscription, and always the friend of the oppressed—who will be associated in history with La Fayette as a patriot, and with Wilberforce as a philanthropist.

In an elaborate memoir, read before the Institute of France,[b] M. Gregoire has with great research, learning, and acuteness, collected and examined the whole evidence in any way bearing on this subject. He first proves most satisfactorily, that the earliest transportation of slaves to America, took place, according to Hargrave, (in the argument on Somerset's case,) in 1508, according to Anderson[c] and Charlevoix, in 1503, and according to Herrera himself, in 1498, that is to say, certainly fourteen, perhaps nineteen years previous to the date of the project imputed to Las Casas.

He then shows, that although the history of those times, and of the affairs of the new colonies had been handled by numerous cotemporary writers, some of them friendly, and others very hostile to Las Casas; and though the controversy on the treatment of the Indians as slaves had called forth many elaborate arguments on both sides of the question, no trace or intimation of this charge is to be found until the publication of Herrera's history, which was compiled about thirty years after the death of Las Casas, and more than eighty after the date which is assigned to this transaction. This negative testimony, which he deduces from a mi-

a See, among other things, "Discours sur la liberte des cultes, par Gregoire, representant du peuple." An. III. de la republique.

b Printed in the Memoirs de l'Institut National—Sciences Morales et Politiques, Tom. IV.

c Anderson's History of Commerce, and Charlevoix, Histoire de St. Domingo.

nute examination of above twenty Spanish writers of that age, and many other more recent ones, is farther strengthened by the consideration, that the writings of Las Casas, inculcate throughout, the duties of humanity towards all men without distinction of colour or country, and it is hardly possible that his numerous and inveterate adversaries, and especially his acute antagonist, Sepulveda, should not have perceived and marked so glaring an inconsistency. Gregoire farther states, that the life of Las Casas has been written in Spanish, French, and Italian, by seven different authors, (one of them a native of New Spain,) and they all pass over this charge as if they had never heard of it; while the five biographers of Cardinal Ximenes, as well as the several Spanish, French, and English authors, who have written on the origin and progress of the slave trade, make no mention whatever of Las Casas's concern in it, but impute the project entirely either to certain Flemish lords of the Spanish court, or to Chievres, a favourite of the prime minister.

Finally, he observes that Herrera, though sensible and ingenious, is considered by some of the best Spanish writers on American history, as a careless and inaccurate historian; that he betrays evident marks of prejudice against Las Casas; and that, although, according to his own statement, this transaction must have taken place long before his recollection, he refers to no original document or authority, in support of his accusation.

Whenever the historical inquirer can thus efface the stains which time or malice has left upon the fame of the wise and good, he effects many of the grandest objects of history. He strips away from vice the apology and consolation which it finds in the frailty of erring virtue. He excites the ingenious mind to measure its ambition by a more perfect standard of moral and intellectual worth. He gives new strength to the purest and most exalted sentiments of our nature, by enabling us to embody, in some permanent form of active virtue, those magnificent, but undefined ideas of possible excellence, which sometimes float before the mind in its

betters hours, and then vanish away for ever, before the breath of the world. If "that man is little to be envied, whose patriotism would not gain force on the plain of Marathon, and whose piety would not grow warmer among the ruins of Iona," surely he too is to be pitied whose heart swells with no emotion when the mist of falsehood is thus rolled away, and the form of moral greatness stands unveiled before him, in all its majesty, towering far above the highest elevation of selfish ambition; like the pillar of Pompey, rising aloft in solitary grandeur amid the waste and subject plain.

Let us now turn to our own more immediate history. The settlement of New-England forms an epoch in the history of colonization. Never, until that time, had such high principles, and such noble minds, been engaged in the great work of extending the bounds of the civilized world. Most of the founders of new states have been driven abroad by necessity; while in others, the spirit of adventure was kindled sometimes by restless ambition, or political discontent; sometimes by enlightened views of commercial profit, but oftener by wild dreams of sudden wealth. But, in the fathers of New-England, we behold a body of men, who, for the liberty of faith alone, resolutely and deliberately exchanged the delights of home, and the comforts of civilized life, for toil and danger, for an ungenial climate and a rugged soil. They were neither desperate adventurers, nor ignorant fanatics; on the contrary, there is every evidence that they generally possessed a much higher degree of mental cultivation, than was common at that period among the English people. Indeed, the austerity of the moral habits of their immediate descendants, and the remarkable freedom of their language from the provincial dialects of England, afford ample evidence of the general character of the ancesters. They were men

> ——— who spake the tongue
> That Shakspeare spake, the faith and morals held
> That Milton held.[a]

a Wordsworth.

Nay, even if in the pride of a vain philosophy, we should choose to suspect the praises of this portion of our English ancestry as being but the delusions of national vanity, and to dwell more upon their faults and follies than on their virtues, still it is impossible to refuse some share of admiration to the talents and courage of these voluntary exiles, if we regard them merely as a bold and honest portion of that party in church and state, which, to borrow the coarse but strong language of Warburton, had out-fought the cavaliers, out-prayed the puritans, and outwitted the parliament. The period at which they lived, is very remarkable for having been fertile in every form of irregular greatness, and they partook largely of the character of their times. In every great exertion of genius, in that age, whether in poetry, in eloquence, in moral and theological speculation or in active life, there was an icongruous and unaccountable mixture of the gigantic and the childish—of glorious truth and miserable prejudice. Pope's criticism on the poetry of Milton, may serve for a universal description of the talents of that day.

> Milton's strong pinion now not Heav'n can bound,
> Now serpent-like, in puns, he sweeps the ground.

This defect of taste, however, was the most venial error of the age; the greatest one, and that which casts a dark shade over our own early history, was the spirit of religious persecution. In fact, the question as to the right and duty of the civil magistrate, to restrain by punishment the propagation of those opinions, which he conscientiously believes to be dangerous to the temporal or spiritual well-being of his people, clear as it may appear to us, is yet, when fairly weighed, of all doubtful points of political speculation, the most difficult for mere reason to solve; probably, because mere reason cannot furnish from its own stores the necessary *data* for the argument, which are to be drawn, partly from the suggestions of our own hearts,—and these we know may be repressed by the stern sense of duty, as well as by baser feelings,—but principally from long observation and experience of the nature and disposition

of man. The reason of the seventeenth century,—and never surely was human reason more active or vigorous,—had advanced no farther than to perceive and allow the conflict of opposite duties, that of the magistrate to punish, and of the martyr to suffer. The rest was left to the justice or mercy of heaven. On this single point, the Doctors of Rome, of Geneva, and of Oxford, were of one opinion. The toleration of Cromwell's reign, imperfect as it was, and comprehending neither the Catholic, the Unitarian, the Quaker, nor the Jew, was but one of the arts of political management, by which he raised himself to power, and can scarcely be considered as indicating in him or in his party at large, any settled and clearly defined principle :[a] while the qualified freedom of worship allowed to the Huguenots in France, was a measure of necessity extorted and defended by force.

About the same time that Bossuet, the most illustrious champion of the church of Rome, was engaged in maintaining, with all the force of his overwhelming eloquence and inexhaustible ingenuity, that the sovereign was bound to use his authority in extirpating false religions from the state ; the Scotch commissioners, in London, were remonstrating, in the name of their national church, against the introduction of " a sinful and ungodly toleration in matters of religion ;"[b] whilst the whole body of the English Presbyterian clergy, in their official papers, protested against the schemes of Cromwell's party, and solemnly declared, " that they detested and abhorred toleration." " My judgment," said Baxter, a man noted in his day for moderation, " I have always freely made known—I abhor unlimited liberty or toleration of all." " Toleration," said Edwards, another distinguished divine, " will make the kingdom a chaos, a Babel, another Amsterdam, a Sodom, an Egypt, a Babylon. Toleration is the grand work of

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a A sufficient proof of this may be found in the treatment of John Biddle, the learned Unitarian, during the protectorate. See Biographia Britannica, Art. Biddle.

b Lord Clarendon—History of the Rebellion, Book XII.

the devil, his master-piece and chief engine to uphold his tottering kingdom : it is the most compendious, ready, sure way to destroy all religion, lay all waste and bring in all evil. It is a most transcendent, catholique, and fundamental evil. As original sin is the fundamentel sin, having the seed and spawn of all sins in it, so toleration hath all errors in it and all evils."[a] The *dragonnades* of Louis XIV. the bloody sentences of the star-chamber, and the savage persecutions of the Remonstrants, in Holland, and of the Quakers, by the Independents of England and America, afforded terrible commentaries on these doctrines. Now and then, indeed, some purer spirits could pierce through this gloom, and anticipate the lights of a succeeding age. Even in that day, Fenelon could inculcate upon his royal pupil, that power might make men hypocrites, but could not make them converts ; and Jeremy Taylor raised his voice for " the liberty of prophesying," and eloquently testified against the " unreasonableness of prescribing to other men's faith, and the iniquity of persecuting differing opinions."

Yet these were but solitary and unheeded examples, and the voices of these sons of peace were drowned amidst the clash of arms and the clamours of controversy.

The glory of having first set an example of a practical and extensive system of religious freedom, was reserved for America ; and the first legislator who fully recognised the rights of conscience, was Roger Williams, a name less illustrious than it deserves to be ; for although his eccentricities of conduct and opinion, may sometimes provoke a smile, he was a man of genius and of virtue, of admirable firmness, courage, and disinterestedness, and of unbounded benevolence.

He was a native of Wales, and emigrated to New-England, in 1630. He was then a young man, of austere life and popular manners, full of reading, skilled in

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a These two quotations are selected from many to the same effect, extracted in the Quarterly Review for October, 1813. Review of the History of Dissenters.

controversy, and gifted with a rapid, copious, and vehement eloquence. The writers of those days represent him as being full of turbulent and singular opinions, "and the whole country," saith the quaint Cotton Mather, "was soon like to be set on fire by the rapid motion of a wind-mill in the head of this one man."[a] The heresy which appeared most grievous to his brethren, was his zeal for unqualified religious liberty. In the warmth of his charity, he contended for "freedom of conscience, even to Papists and Arminians, with security of civil peace to all," a doctrine which filled the Massachusetts clergy with horror and alarm. "He violently urged," says Cotton Mather, "that the civil magistrate might not punish breaches of the first table of the commandments, which utterly took away from the authority all capacity to prevent the land which they had purchased on purpose for a recess from such things, from becoming such a sink of abominations as would have been the reproach and ruin of Christianity in these parts of the world."

In addition to these most "disturbant and offensive doctrines," Mather charges him with preaching against the Royal charter of the colony, "on an insignificant pretence of wrong therein done unto the Indians." To his fervent zeal for liberty of opinion, this singular man united an equal degree of tenacity to every article of his own narrow creed. He objected to the custom of returning thanks after meat, as, in some manner, involving a corruption of primitive and pure worship; he refused to join any of the churches in Boston, unless they would first make a public and solemn declaration of their repentance for having communed with the church of England; and when his doctrines of religious liberty were condemned by the clergy, he wrote to his own church at Salem, "that if they would not separate as well from the churches of New-England as of Old, he would separate from them."

All his peculiar opinions, whether true or erroneous,

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a Cotton Mather—Magnalia, Book VII. in the chapter, entitled *Little Foxes*, or the spirit of *Rigid Separation* in one remarkable zealot, &c.

were alike offensive to his puritan brethren, and controversy soon waxed warm. Some logicians, more tolerant or politic than the rest, attempted to reconcile the disputants by a whimsical, and not very intelligible sophism. They approved not, said they, of persecuting men for conscience' sake, but solely of correcting them for sinning against conscience; and so not persecuting, but punishing heretics. Williams was not a man who could be imposed upon by words, or intimidated by threats; and he accordingly persevered in inculcating his doctrines publicly and vehemently. The clergy, after having endeavoured in vain to shake him by argument and remonstrance, at last determined to call in the aid of the civil authority; and the General Court, after due consideration of the case, passed sentence of banishment upon him, or, as they phrased it, "ordered his removal out of the jurisdiction of the court." Some of the men in power had determined that he should be sent to England; but, when they sent to take him, they found that, with his usual spirit of resolute independence, he had already departed, no one knew whither, accompanied by a few of his people, who, to use their own language, had gone with their beloved pastor "to seek their providences." After some wanderings, he pitched his tent at a place, to which he gave the name of Providence, and there became the founder and legislator of the colony of Rhode-Island. There he continued to rule, sometimes as the governor, and always as the guide and father of the settlement, for forty-eight years, employing himself in acts of kindness to his former enemies, affording relief to the distressed, and offering an asylum to the persecuted. The government of his colony was formed on his favourite principle, that in matters of faith and worship, every citizen should walk according to the light of his own conscience, without restraint or interference from the civil magistrate. During a visit which Williams made to England, in 1643, for the purpose of procuring a colonial charter, he published a formal and laboured vindication of this doctrine, under the title of "The Bloody Tenent, or a Dialogue between Truth and Peace."

In this work, which was written with his usual boldness and decision, he anticipated most of the arguments, which, fifty years after, attracted so much attention, when they were brought forward by Locke. His own conduct in power, was in perfect accordance with his speculative opinions; and when, in his old age, the order of his little community was disturbed by an irruption of Quaker preachers, he combated them only in pamphlets and public disputations, and contented himself with overwhelming their doctrines with a torrent of learning, sarcasms, syllogisms, and puns.[a]

It should also be remembered, to the honour of Roger Williams, that no one of the early colonists, without excepting William Penn himself, equalled him in justice and benevolence towards the Indians. He laboured incessantly, and with much success, to enlighten and conciliate them, and by this means acquired a personal influence among them, which he had frequently the enviable satisfaction of exerting in behalf of those who had banished him. It is not the least remarkable or characteristic incident of his varied life, that within one year after his exile, and while he was yet hot with controversy, and indignant at his wrongs, his first interference with the affairs of his former colony was to protect its frontier settlements from an Indian massacre. From that time forward, though he was never permitted to return to Massachusetts, he was frequently employed by the government of that province in negotiations with the Indians, and other business of the highest importance to their interests. Even Cotton Mather, in spite of his steadfast abhorrence of Williams's heresy, seems to have been touched with the magnanimity and kindness of the man; and after having stigmatized him as "the infamous Korah of New-England," he confesses, a little reluctantly, that "for the forty years after his exile he acquitted himself so laudably, that many judicious people judged him to have had *the*

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a The title of one of his books against George Fox, and his follower, Burrowes, is "The Fox digged out of his Burrows."

root of the matter in him, during the long winter of his retirement."[a]

At the very time that the puritan Roger Williams was thus inculcating this humane and wise doctrine in the eastern colonies, a Roman Catholic nobleman, George Calvert, Lord Baltimore, was engaged in obtaining a charter and enacting a code of laws for Maryland, on the same liberal principles.

Lord Baltimore had neither the talents nor the eccentricities of Roger Williams, but he was a man of strong sense and great worth. He had passed with reputation through several offices of high political trust and importance, under James I., but, in 1624, he resigned all his employments on becoming a convert to the Roman Catholic faith. He then projected a colony at Newfoundland, but after visiting his settlement twice, bestowing great expense and labour upon it, and once in person rescuing it from a French invasion, despairing of success, he abandoned his proprietary rights there, and procured a patent for Maryland. After he had visited and explored the country, he died, while he was engaged in making the necessary preparatory arrangements for his undertaking, and before the charter had passed the forms of office; so that there is scarce any historical record of his share in the colonial administration of Maryland. But the little that tradition has preserved respecting him, speaks volumes in his praise. We know that he displayed the most perfect good faith in all his transactions with the natives, and that it was to him that Maryland was indebted for such a liberal code of religious equality, that the province soon became the refuge, not only of the Catholics who fled from Great Britain, but of the Puritans who were

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a Mather—Magnalia Americana, Book VII. cap. 2. Collections of Massachusetts Historical Society, VI. 245. VII. 3. VIII. 2. IX. 23. X. 15. &c. &c. Brook's Lives of the Puritans. III. 577. Chalmer's Political Annals, p. 269. Quarto edit. Dr. Trumbull (Hist. U. S. vol. I. p. 105.) speaks of Williams with cold praise, though he calls him "a gentleman of benevolence."

driven from Virginia, and of the Quakers exiled from New-England.[a]

His son, the second Lord Baltimore, deserves also to be named with honour, as having inherited the enterprise and the tolerant spirit of his father.

These admirable examples remained without imitation for nearly half a century, until 1682, when William Penn repeated the same experiment on a much greater scale, and laid the foundation of the government of Pennsylvania, with this "grand fundamental," as he termed it, "that every person should enjoy the free profession of his faith, and exercise of worship, in such way as he should in his conscience believe most acceptable."

The resemblance of character between Penn and Roger Williams is striking. Penn, like Williams, was enthusiastic without being bigoted; he had the same benevolence, the same scorn of intellectual slavery, the same love of controversy, and, above all, the same habitual inflexibility of purpose and opinion. But he had mixed more widely in the world, had more experience, and more knowledge of character, a more bustling activity of disposition, greater skill in the conduct of affairs, and, perhaps, a little more of worldly ambition, as well as much more of worldly wisdom. He appeared, too, on a more magnificent theatre of action, and has left the impress of his own peculiar character very deeply stamped upon the opinions and institutions of England and America.

Among the most remarkable peculiarities of his mind, was that singular inflexibility of which I have spoken; and he was in the habit of applying it indiscriminately to the noblest and to the most paltry uses. His range of knowledge was extensive: he had looked, with an observant eye, upon many forms of character and modes of life, and he deemed it to be his duty to declare his settled opinion upon every subject which fell in his way, and to take a part in every controversy as soon as it arose.

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a Chalmer's Political Annals, p. 200, 4to. London. Biographia Britannica, article "Calvert." Marshall's Washington, I. 1 9—8%.

It mattered nothing, whether the subject was of little importance or of great, he was always stiff in his opinions, bold in his avowal of them, ready and copious in expounding them, and ingenious in their defence. Yet in spite of these foibles, every ludicrous association is repelled from his character, by the admiration which he excites when we behold him inculcating the purest doctrines of religion with the fervour of an apostle, and defending the dearest interests of his country and the most sacred rights of man with an ability, a courage, and a sagacity, which would have done honour to Hambden or Algernon Sidney.

He lived in an age of controversy and intolerance, both religious and political, and for a considerable part of his life, he published a polemical tract every month, and was regularly thrown into prison at least once a year. But neither tyranny nor the continual irritation of controversy, could change his steady character; prosperous or unprosperous, in peace or in controversy, in business and in retirement, he was still the same; kind, pure, patient, laborious, fearless, zealous, pious. If his polemic ardour now and then hurried him a little beyond the bounds of his habitual meekness, still his violence was always confined to a few rough words; and it is even worthy of remark, that this occasional intemperance of expression seldom extended much beyond his title-page,[a] and as soon as that slight effervescence was over, he quietly returned to his accustomed calm, clear, and quaint simplicity of style.

It was after a long and rigid discipline of adversity and oppression, when his youthful presumption had subsided, and his enthusiastic zeal had ripened into a wise and practical benevolence, that Penn became the founder of that commonwealth which so gloriously perpetuates his name, his wisdom, and his virtues—a more magnificent and lasting monument than conqueror or despot ever reared.

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a As for example, "A brief Reply to a mere Rhapsody of Lies, Folly, and Slander," &c. "An answer to a False and Foolish Libel." &c. are the titles of some of his tracts.

He arrived in Pennsylvania, in October, 1682. As he was wont, according to the taste of the age and his sect, to allegorize natural occurrences, he might have found in the soft serenity of the season in which he landed, an apt emblem of those happy and useful days he was to pass in America. The rest of his life, like the other parts of the year in this climate, was vexed with many fierce and sudden varieties of change; but the period of his administration in America, was destined to be, like the American autumn, mild, calm, bright, and abounding in rich fruits.

Here, his genius seemed to expand, as if to fit itself for a grander scene of action; while his benevolence grew warmer amid "the sweet quiet of these parts," to use his own beautiful language, "freed from the troublesome and anxious solicitations, hurries, and perplexities of woful Europe." In all outward things he was well satisfied, and he had no desire left, but that of doing good. "The land," said he, "is rich, the air clear and sweet, the springs plentiful, and provisions good and easy to come at: in fine, here is what an Abraham, Isaac, and Jacob, would be well contented with; and service enough for God, for the fields are here white for harvest."[a]

The history of man does not furnish any more interesting scene, nor one calling up finer associations or more generous sympathies, than the first conference of William Penn and his followers with the savage chiefs; when, to recur again to his own inimitable words, "they met on the broad pathway of good faith and good will, so that no advantage was taken on either side, but all was openness, brotherhood, and love."

Montesquieu, with his usual brilliant and ambitious originality, has styled Penn the modern Lycurgus.[b] Paradoxical as this strange association of names may at first appear, there is one marked point of resemblance between the Spartan and the Pennsylvanian legislator;

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a William Penn's Letters.

b "M. Penn est un veritable Lycurgue, quoique le premier ait eu la paix pour objet comme l'autre a eu la guerre," &c. L'Esprit des Loix, Liv. IV. chap. 6.

widely as they differed in the character of their institutions, and the ultimate ends of their ambition.

It is the peculiar glory of these two, above all the other legislators of mankind, to have possessed that self-balanced and confident energy of mind, which could enable them to disregard all considerations of temporary expediency and private interest, and to make every part of their system harmonise in perfect unison with those leading principles which were to pervade, animate, and govern every portion of the state.

Never was there undertaken a more sublime political enterprise than that of the founder of Pennsylvania. Never was there a legislation more boldly marked with that unity of intention which is the most peculiar and majestic feature of all original conception. His system of virtuous politics was reared upon benevolence, justice, and liberty. With these objects he began, and with these he ended. In an age when, with few exceptions, the sound principles of civil liberty were as little understood by those who clamoured for freedom, as by those who defended the doctrines of arbitrary power, William Penn began his system of virtuous politics, by proclaiming to his people, in words of noble dignity and simplicity, "that the great end of government was to support power in reverence with the people, and to secure the people from the abuse of power, that they may be free by their just obedience, and the magistrates honourable for their just administration—for Liberty without obedience is confusion, and Obedience without liberty is slavery."[a]

With such views, thus liberal and temperate, his first care was to devest himself of the almost arbitrary power with which he had been intrusted, and to establish a form of government on the broadest plan of republican representation. At the same time, well-judging "that governments rather depend upon men, than men upon governments," he rested his sole reliance upon public morals and education for the preservation of public li-

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a Preamble to Penn's "Frame of Government" in Marshall's Life of Washington, Vol. I. Appendix, note 4. The whole is curious, and much of it admirable.

berty. "For," saith he, "that which makes a good government must keep it, namely, men of wisdom and virtue, qualities which, because they descend not with natural inheritance, must be carefully propagated by a virtuous education of youth."

It is unnecessary to recall to the recollection of any American, who is at all conversant with the history of his own country, the gentleness and tolerance of Penn's government; his love of peace and its arts; the kindness with which he watched over the welfare, and laboured for the instruction, of the African race; his encouragement of useful industry and general education; the mild wisdom of his criminal code; and, above all, his effort to improve the administration of justice, by combining the reformation of the offender with the punishment of the offence—a grand and original attempt, which, had he no other claim to our gratitude, would alone entitle him to a most honourable place among the benefactors of the world.

It is true, that some of Penn's plans of peaceful legislation, have been found inapplicable to the actual state and condition of mankind. But his very failures were glorious, for they arose chiefly from a too sanguine expectation of the mental and moral improvement of the human race, and too hasty anticipations of universal holiness and universal peace; an illusion so fair and lovely, and so nearly allied to truth, that it sheds lustre over every error with which it may be connected, and can even lend momentary dignity and interest to the wild speculations of Godwin and Condorcet.[a]

The great name of John Locke, is associated with that of William Penn, by a double tie; by his celebrated constitution for the Carolinas, which enrols him among the earliest legislators of America, and by one of those anecdotes of private friendship and magnanimity, upon which the mind gladly reposes, after wandering among the cold and dreary generalities of history.

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a For the facts upon which the above view of Penn's character are founded, see Clarkson's Life of Penn—Proud's history of Pennsylvania, and Marshall's Washington, vol. I.

During the short period of Penn's influence at the court of James II., he obtained from the king the promise of a pardon for Locke, who had fled to Holland, from the persecution of the dominant party. Locke, though grateful to Penn, for this unsolicited kindness, replied with a firmness worthy of the man who was destined to become the most formidable adversary of tyranny in all its shapes, "that he could not accept a pardon, when he had not been guilty of any crime." Three years after this occurrence, the Stuarts were driven from the throne of England; Locke then returned in triumph. At the same time, the champions of English liberty, to serve some party object, proclaimed Penn a traitor without the slightest ground; and all his rights as an Englishman, and his chartered privileges, were shamelessly violated by the very statesmen who had drafted the Act of Toleration and the Bill of Rights. In this season of distress and desertion, Penn was unexpectedly gratified by the grateful remembrance of Locke, who now, in his turn, interceded to procure a pardon from the new sovereign. In the pride of slandered innocence, Penn answered, as Locke had formerly done, "that he had never been guilty of any crime, and could not, therefore, rest satisfied with a mode of liberation which would ever appear as a standing monument of his guilt."[a]

The genius of Locke has been described by Dr. Watts, with equal elegance and truth, as being "wide as the sea, calm as the night, bright as the day:" still his mind appears to have been deficient in that practical sagacity which so happily tempered the enthusiasm of William Penn. The code of government and laws which Locke formed for the Carolinas, contained many excellent provisions, but it was embarrassed by numerous and discordant subdivisions of power, was perplexed by some impracticable refinements in the administration of justice, and was, in all respects, unnecessarily artificial and complicated.[b] Nevertheless, it is, I think,

a Clarkson's Life of Penn, I. 338. II. 58. Philadelphia edition.

b Marshall, I. 190. Trumbull's History of the U. S. I. 206, and the Constitution itself in Locke's Works, vol. X. p. 175. 8vo. edition, London, 1801.

a legitimate subject of national pride that we can thus number this virtuous and profound philosopher, among those original legislators of this country, who gave to our political character its first impulse and direction.

The character and exploits of the founder of Georgia, form a dazzling contrast to the calm virtues of this great man. The life of General Oglethorpe would require but little embellishment to make it a tale of romance. It was full of variety, adventure, and achievement. His ruling passions were the love of glory, of his country, and of mankind, and these were so blended together in his mind that they formed but one principle of action. He was a hero, a statesman, an orator, the patron of letters, the chosen friend of men of genius, and the theme of praise for great poets.

In his youth, after having been the confidential aid-de-camp of the Earl of Peterborough, whom he resembled in his restless activity of mind and body, he early attracted the notice of the great Duke of Marlborough, and afterwards served with distinguished reputation under Prince Eugene, in Germany, Hungary, and Turkey. From his boyhood he uniformly enjoyed the friendship and confidence of his gallant and eloquent countryman, John, Duke of Argyle,[a] who, in an animated speech in parliament, bore splendid testimony to his military talents, his natural generosity, his contempt for danger, and his devotion to the public weal.[b]

Passing from the camp to the senate, he soon became conspicuous for his manly independence, and still more for the ardour and purity of his benevolence. Anticipating the labours of Howard, he plunged into the dark and pestilential dungeons in which prisoners for debt in England, were at that time confined, dragged to light the most atrocious abuses, restored to freedom multitudes who had long suffered under legal oppression, and obtained public and exemplary punishment of the men who had been guilty of these outrages against justice

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a "Argyle, the state's whole thunder born to wield,
And shake alike the senate and the field."---*Pope.*

b Gentleman's Magazine, vol. XI. p. 466.

and humanity.[a] Soon after this, a colony was projected, which, without any prospect of profit or remuneration to those who directed it, had in view the double object of relieving England from some portion of the daily increasing burden of her pauperism, and of opening an avenue of useful and independent industry to those who had fallen into unmerited misfortune. General Oglethorpe was placed at the head of this enterprise, and entered upon it with that ardour which marked all his undertakings. Animated by the hope of gaining glory and of doing good, he cheerfully expended a large portion of his private fortune, and encountered every variety of fatigue and danger.

It was in 1732, immediately after making a spirited and patriotic effort in parliament to restore a constitutional militia, and to abolish arbitrary impressment for the sea-service, that he left England to become the founder of the colony of Georgia. The suppression of the slave trade has also long engaged his attention, and under his auspices this infant colony set the example of a legal prohibition of this traffic in the blood of man.

Various untoward circumstances conspired to check the growth of the new settlement, and to frustrate the innumerable plans of agricultural[b] and political improvement which were constantly suggested by the busy and fertile mind of the governor; and, in a few years, these labours were completely interrupted by the alarm of a Spanish and Indian war. The benign legislator and magistrate, who had rivalled Penn in the arts of peace and in acts of mercy, then resumed, at

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a It is to this inquiry, that Thomson refers in his Winter, in the lines beginning,

> "And here can I forget the generous band
> Who, touched with human wo, redressive searched
> Into the horrors of the gloomy jail,
> Unpitied and unheard where misery mourns,
> Where sickness pines, where thirst and hunger burn,
> And poor misfortune feels the lash of vice?" &c. &c.

b One of these was the introduction of the olive into the southrn colonies.

once, the habits of his youth, and approved himself the hardy, daring, and adventurous soldier. By his unwearied activity, and the example of his personal courage, not less than by his military skill and enterprise, in the laborious Southern campaigns of 1740 and 1742, he repelled the inroads of a far superior enemy, which threatened the subjugation of Georgia and the devastation of the Carolinas.[a]

It was this fine combination of chivalry and philanthropy in the character of General Oglethorpe, graced as it was by a variety of accomplishments and the love of letters, that excited the warm admiration of Johnson, who intended to become his biographer—that called forth the eulogy of Pope, in those well-known lines,

> And driven by strong benevolence of soul,
> Shall fly, like Oglethorpe, from pole to pole;

And which induced Thomson to celebrate the praises of the founder of Savannah, among those of the most brilliant heroes and patriots of ancient or of English history:

> Lo swarming southward on rejoicing suns
> Gay colonies extend; the calm retreat
> Of undeserved distress, the better home
> Of those whom bigots chase from foreign lands.
> Not built on Rapine, Servitude, and Wo,
> And in their turn some petty tyrant's prey;
> But bound by social freed·m, firm they rise,
> Such as of late an OGLETHORPE has formed,
> And crowding round, the pleased Savannah sees.[b]

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a "In the month of June, (1742,) the new colony of Georgia was invaded by an armament from St. Augustine, commanded by Don Manuel de Monteano, governor of that fortress. It consisted of six-and-thirty ships, from which four thousand men were landed at St. Simon's, and began their march for Frederica. General Oglethorpe, with a handful of men, took such wise precautions for opposing their progress; and harassed them in their march with such activity and resolution, that, after two of their detachments had been defeated, they retired to their ships, and totally abandoned their enterprise." Smollet's History of England, Reign of George II. The history of this campaign and of the preceding one of 1742. is given in a much more detailed manner in M'Call's history of Georgia, vol. I. and in Dr. Trumbull's History of the United States, vol. I. chap. 8.

b Thomson's Liberty, Part V

General Oglethorpe administered the affairs of the colony for about eleven years. He afterwards passed, "without fear and without reproach," through many alternations of fortune, both in public and private life, constantly emulating Howard in the zeal and extent of his charity, and sustaining a character as a soldier and a gentleman, such as Sir Philip Sidney or Lord Falkland might have envied. His habitual temperance and activity preserved his health and faculties to extreme old age.[a] He died in 1785, affording the first example, in modern times, of the founder of a colony who has lived to see that colony recognised by the world as a sovereign and independent state. Col. Daniel Boone, the adventurous founder of the state of Kentucky, is, perhaps, the only other instance of this remarkable distinction.

The latest distinct traces which are to be found of General Oglethorpe, are in the amusing volumes of Boswell, who has incidentally preserved many fragments of his cheerful and instructive conversation; and describes him as living in London, during the latter years of his life, in a style of elegant hospitality, associating familiarly with Johnson, Goldsmith, and Reynolds; an evening worthy of so long and so bright a day.[b]

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a There is a considerable variance in the accounts of General Oglethorpe's age. Nichols, in his Literary Anecdotes, states, that he died in his 88th year. A brief notice of him in Rees's Cyclopedia, extends his age to 97; another account says 92. It is certain that after having held a commission in the British service, he was an officer of rank in the German army, under Prince Eugene, at the great siege and battle of Belgrade, in 1717. I have been told by an American gentleman, who saw him in 1781, that he then retained all the animation of youth; he walked erect and actively, retained his hearing, and read without spectacles to his death.

b An authentic, and tolerably minute, Life of General Oglethorpe, is a desideratum. The above notices of his character and life have been gleaned from a sketch of his biography, in the European Magazine, for 1785. Nichols' Literary Anecdotes, vol. VI. Trumbull's History of the United States, vol. I. chap. 8. and Boswell's Johnson. There are many detached passages respecting him, scattered through the Gentleman's Magazine, from 1730 to 1770. He was eulogized by the Abbe Raynal, in the Histoire Philosophique; by Warton, in his notes on Pope, and by several minor cotemporary poets. John Wesley also addressed a poem to him full of panegyric. The fullest account of his administration and defence of Georgia, is in M'Call's history of Georgia. Since the first edition of this discourse, I have been informed that the

It was not until a late period of our colonial history, that the British government was awakened to a sense of our growing importance; and with but very few exceptions all those who influenced and directed the public mind of England, either by their literary or political talents, agreed in regarding their North American provinces, rather as possessions affording certain means of commercial advantages, than as integral parts of a great empire. It had scarcely occurred to any of them, that whether fame or the good of mankind were their object, there was no mode by which they could reap so quick and abundant a harvest of honour and usefulness, as by sowing the seeds of science and virtue on these western shores. This arose, in the main, from mere negligence; for the statesmen in England, in those days, like the common-place politicians of every age and nation, were too much engrossed by the little objects about them, to look forward upon the grand and bright prospects of futurity. Sometimes, moreover, that narrow policy which regards the ignorance of the people as the firmest foundation of power, shed its malignant influence over our colonial governments.

One remarkable instance of this is worthy of being particularly noted. Sixty-four years after the first settlement of Virginia, Sir William Berkeley, then governor of that province, in an official communication to the lords of the colonies, observed, "I thank God, that there are no free schools nor printing presses here; and, I hope, that we shall not have them here these hundred years; for learning has brought disobedience and heresy and sects into the world, and printing hath divulged them in libels against the best governments. God keep us from both."[a]

Such was the general disposition of our trans-atlantic rulers, when a liberal scheme for diffusing light and truth over the American continent and the West-India

late excellent and learned Dr. Kollock, of Savannah, had been for some time collecting materials for a life of General Oglethorpe. The sudden death of Dr. Kollock, in the prime of his talents and usefulness, is not less a loss to literature than to the church.

a Ramsay's History of the United States, Vol. I. 264

Islands, was proposed by Dean Berkeley, a name which will be venerable as long as learning is held in honour, or virtue has reverence among men.

Berkeley was born and educated in Ireland. In his youth, like his friend Oglethorpe, he had been patronized by the Earl of Peterborough, (the famous Mordanto of Swift,[a]) who, among his other uncommon qualities, had a remarkable instinct for discovering and bringing forward men of talents of all descriptions. He was also the intimate friend and companion of Pope and Swift, whose wit and genius he honoured without participating in their pride and selfishness. He had gained a very high reputation, in the learned world, by several of those works which still entitle him to be classed among the most profound and original inquirers into the philosophy of mind and the first principles of knowledge.

In his Theory of Vision, he had taught us to distinguish the immediate objects of sight as they actually affect the senses from those spontaneous inferences, which long and universal habit has accustomed us to form.[b] By thus disentangling the complicated associations of sight and touch, he had solved several of the most perplexing phenomena of optics, and made a very important advance in the knowledge of the mode by which our mind holds converse with the external world. Whoever looks back upon the slow progress of intellectual

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a "Mordanto fills the trump of fame,
The Christian world his deeds proclaim,
The prints are crowded with his name;
In journies he outrides the post,
Sits up till midnight with his host,
Talks politics and gives the toast, &c.
* * * * * *
Shines in all climates like a star,
In senates bold, and fierce in war,
A land commander and a tar, &c. &c.

The other lines are equally happy. Such a graphical delineation of character gives a more distinct idea of the man, than volumes of commonplace biography. When Lord Peterborough went to Italy, as ambassador, he took Oglethorpe with him as his secretary, and Berkeley as his chaplain, both of them then very young.

b Berkeley's "Essay towards a New Theory of Vision," first published in 1709. See also Reid's Inquiry, chap. 6.

philosophy, and considers how little has been done by metaphysicians, beyond pulling down the systems of their predecessors, and erecting other theories of their own, of equally short duration, will, I think, be led to regard this speculation of Berkeley's, as decidedly the most solid and valuable improvement which has been made during the last century in the knowledge of our own nature.

In an other essay he had, with the same acuteness, overthrown the theory of abstract general ideas, and established that of generalization by signs and words, which has, since his time, become the prevailing doctrine among metaphysicians.[a]

But it is for his theory denying the existence of a material world, the most ingenious, and yet, in truth, the least valuable of all his speculations, that he is now most celebrated, and that he attracted the most attention in his own day. He held, as is well known, that those things which we denominate sensible material objects, are not external to the mind, but actually existing in it, and are merely impressions made on the intellect by the immediate power of the Divine mind, acting according to its own fixed and constant laws; and that it is this uniform adherence of the Deity to his own rules, which alone constitutes the reality of things to his intelligent creatures: these laws being intended not as helps to the Creator, but as signs to the creature, whereby he may know what to expect, in what manner to govern himself, and how to direct his actions for the obtaining of any end.[b]

Berkeley maintained this bold paradox with an ingenuity of argument, which, in the happy phrase of Hume,[c] "admitted of no answer, and produced no conviction."

His doctrines have been frequently assailed by coarse ridicule; yet, however fallacious they may be, it is but

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a In the Introduction to his "Principles of Knowledge."

b "Principles of Human Knowledge," and "Dialogues between Hylas and Philonous." Siris, sect. 160.

c Essays.

justice to the memory of this great man, to observe, that he never doubted of the reality of our *sensations*, nor of the necessity of acting according to their information —that it is a gross misrepresentation of his opinions, to consider him as a skeptic who disbelieved his own senses—but that his theory regarded solely the *causes* of our sensations, and his skepticism was confined to the single point, whether they proceed from independently existing substances without us, or from a stated and regular combination of sensible ideas, excited immediately by the great First Cause.

With all this metaphysical subtility, Berkeley was equally distinguished for the depth and variety of his knowledge, the exuberance and gracefulness of his imagination, the elegance of his conversation and manners, and the purity of his life. It was about the fortieth year of his age, that, wearied out by these fruitless speculations, in which the most vigorous mind "can find no end, in wandering mazes lost," he conceived the project of founding a University in the Island of Bermuda, on so liberal a scale as to afford the amplest means of diffusing scientific and religious instruction over the whole of the British possessions in America. Dr. Berkeley, at that time, held the richest church preferment in Ireland, and had the fairest prospects of advancement to the first literary and ecclesiastical dignities of that country, or even of England. All these, with a disinterestedness which excited the astonishment and sneers of Swift,[a] and his literary friends, he proposed to resign for a bare maintenance as principal of the projected American University. His personal character and influence, and the warmth of his benevolent eloquence, soon subdued or silenced open opposition. He obtained a charter from the crown, and the grant of a large sum of money, to be raised from the sale of certain lands in the Island of St. Christopher's, which had been ceded by the treaty of Utrecht to the British government, but had afterwards been totally forgotten or neg-

a See Swift's Letters

lected, and of the real value of which he had with great industry acquired an accurate knowledge.

To describe Berkeley's confident anticipations of the future glories of America, we must have recourse to his own words.

> The Muse, disgusted at an age and clime
> Barren of every glorious theme,
> In distant lands now waits a better time,
> Producing subjects worthy fame:
>
> In happy climes where from the genial sun
> And virgin earth such scenes ensue,
> The force of art by nature seems outdone.
> And fancied beauties by the true:
>
> In happy climes, the seat of innocence,
> Where nature guides and virtue rules;
> Where men shall not impose for truth and sense
> The pedantry of courts and schools:
>
> There, shall be sung another golden age,
> The rise of empires and of arts,
> The good and great, inspiring epic rage,
> The wisest heads and noblest hearts.
>
> Not such as Europe breeds in her decay,
> Such as she bred when fresh and young,
> When heavenly flame did animate her clay,
> By future poets shall be sung.
>
> Westward the course of empire takes its way;
> The four first acts already past,
> A fifth shall close the drama with the day—
> Time's noblest offspring is the last.

I have quoted these fine lines at length, because I do not recollect to have seen or heard them referred to in this country. They were written fifty years before the declaration of Independence; and to the patriot who may now exult with undoubting hope, in the great and sure destinies of our nation, they may well seem to revive the old connexion between the prophetic character and that of the poet;

> For, in a Roman mouth, the graceful name
> Of poet and of prophet were the same.[a]

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a Cowper.

Confiding in these glorious auguries, and animated by the pure ambition of contributing to hasten forward this "rise of empire and of arts," he sailed from England, in 1728. He came first to Rhode-Island, where he determined to remain, for a short time, for the purpose of purchasing lands on this continent as estates for the support of his college, as well as in order to gain a more intimate knowledge of the Northern colonies. Here he soon became convinced that he had erred altogether in his choice of Bermuda; and he applied for an alteration of his charter, empowering him to select some place on the American continent for the site of the University, which would, probably, have been fixed at this city or in its vicinity.[a] But in the succeeding year, all his sanguine hopes were at once extinguished by an unexpected court intrigue, and a large sum, (90,000*l.* sterling in all,[b]) which had been paid into the treasury from the funds pointed out by Berkeley, and part of which had been solemnly appropriated to the projected institution, by a vote of parliament, was seized by Sir Robert Walpole, to pay the marriage portion of the Princess Royal; an additional proof, if proof were needed, of the truth of the old republican adage, that the very trappings of a monarchy are sufficient to support a moderate commonwealth.

The two years and a half of Berkeley's residence, in Rhode-Island, had not been idly spent. It was there that he composed his Minute Philosopher, a work written on the model of the Philosophical Dialogues of his favourite Plato, and, like them, to be admired for the graces which a rich imagination has carelessly and profusely scattered over its pages, as well as for novelty of thought and ingenuity of argument. The rural descriptions which frequently occur in it, are, it is said,[a] exqui-

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a This is the opinion of Dr. Chandler, Life of President Johnson, p. 58. Others have said that it would have been transferred to Rhode-Island.

b By the late Dr. Smith, Provost of the University of Pennsylvania, in a preface to the London edition of the Rev. Dr. Johnson's Moral Philosophy.

site pictures of some of those delightful landscapes which presented themselves to his eye at the time he was writing.

His residence in this country, gave a general stimulus to literary and scientific exertion. He became personally acquainted with all who had any literary taste or acquirement, especially among the clergy of different denominations, with several of whom he formed a close intimacy, and continued to encourage and patronize them by every means in his power during his whole life. He minutely examined into the state of the public institutions, in the northern and middle colonies, and after his return to England, rendered them several important services by his pen and his influence. Having observed the serious inconveniences, under which American students laboured, from the want of books, and the defects of early classical education, shortly after his return, he sent out to Yale College a large and choice collection of the best works in different branches of learning, which still forms the most valuable part of the public library of that respectable and useful institution. He accompanied this present with a deed of gift of his property in Rhode-Island, directing it to be appropriated to the support of three scholarships, to be bestowed upon the best classical scholars of each year. This soon produced a happy effect, and the *Dean's Bounty*, as it is now called, has materially contributed to keep up, and gradually to raise, the standard of scholarship in a college which has, for many years, educated a large portion of the professional men of this country.

Dr. Berkeley was also a liberal benefactor to the library of Harvard College;[a] and the college of this city,

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a This fact appears in the Life of Hollis, where, among the valuable contents of the old library, destroyed by fire in 1764, are mentioned the donations "of the liberal and catholic Bishop Berkeley." He died before Kings' (now Columbia,) College, was fully established. As the first president was his intimate friend, it is highly probable that, had he lived, he would have patronized it very efficiently and liberally. While the plan for erecting the college was in agitation, he exerted himself in its support, advised the course of study, and patronized the subscription. I believe, though I have no direct authority for the assertion, that he also assisted, in the same way, the college of Philadelphia, now the University of Pennsylvania, which was founded about the same time.

on its first establishment some years after, was essentially indebted to him for assistance and support.

Berkeley returned to Europe mortified and disappointed; but as there was nothing selfish or peevish in his nature, the failure of this long cherished and darling project could not abate the ardour of his philanthropy.

The rest of his history belongs more to Ireland than to America. Never had that ill-governed and injured country a purer or more devoted patriot. His Querist, his Letters to the Roman Catholic clergy, and his other tracts on Irish politics, are full of practical good sense, unbounded charity, and the warmest affection for his country.

Such was the strong and general sense of the usefulness of these labours, that, in 1749, the body of the Irish Roman Catholic clergy, in a formal address to Dr. Berkeley, who was then Protestant Bishop of Cloyne, returned him "their sincere and hearty thanks," for certain of these publications, assuring him that "they were determined to comply with his advice in all particulars;" they add, "that every page contains a proof of the author's extensive charity, his views are only towards the public good, and his manner of treating persons, in their circumstances, so very uncommon, that it plainly shows the good man, the polite gentleman, and the true patriot."

This is a panegyric as honourable to those who gave it, as it was to him who received it. It presents an instance of pure and enlightened benevolence on the one side, and of liberal gratitude on the other, which, I fear, remains without a parallel in the ecclesiastical annals of Ireland.

Berkeley's was one of those rare minds which, by the alchemy of true genius, can transmute and ennoble all that they touch. In his Queries proposed for the good of Ireland, he incidentally laid open many new and interesting views in the then uncultivated science of political economy; and all his writings on ephemeral subjects are marked with that sure indication of an elevated mind, the habit of referring objects of local or

transitory interest to those broad grounds of general reason and conscience, without the frequent contemplation of which, says he, a man may indeed be a thriving earthworm, but he will prove but a sorry patriot.[b]— Whatever may be the result of his arguments upon any point, it is impossible to follow him through his chain of reasoning without being instructed and improved. In this respect as in some others, he resembled Warburton. In every investigation, to which these acute, intrepid, and excursive reasoners applied their powerful minds, they continually struck out brilliant thoughts and frequent flashes of light, even where they failed in the ultimate object of their labours.[c] But Berkeley was very superior to the dogmatic "Lord of paradoxal land," in the perfect candour and good faith with which he maintains his opinions, and still more in that beautiful moral colouring which he always gives to his learning and his argument, and in the consequent moral effect on the mind of his reader. For it was the unceasing aim of all his philosophy "gently to unbind the ligaments which chain the soul to the earth, and to assist her flight upwards towards the Sovereign Good."[a]

He died at Oxford, in 1753, in his seventy-third year. His epitaph in the cathedral church of that city, deserves to be cited for the dignified and concise elegance with which it records his praise.[d]

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a Berkeley's Siris.

b Berkeley's tract on the doctrine of Passive Obedience, which he wrote when very young, is a strong example of this. He is, most clearly, wrong in his conclusions, and yet, few discussions on abstract politics abound with so many acute remarks and original views.

c Siris.

d It is ascribed to the late Archbishop Markham, then head master of Westminster school. For the other facts respecting Berkeley's Life and Writings, see Berkeley's Works, with Life and Correspondence prefixed, 2 vols. 4to. London. Also Biographia Britannica, article Berkeley.— And with respect to his university, and the influence of his visit on the learning of America. Chandler's Life of President Johnson. Clap's History of Yale College. Trumbull's History of Connecticut, vol. II. chap. 12. Miller's Retrospect, II. 349.

On a stone, over his grave, is the often quoted line of Pope,

"To Berkeley every virtue under Heaven;"

and above it, after his names and titles,

Viro
Seu ingenii et eruditionis laudem
Seu probitatis et beneficentiæ spectemus,
Inter primos omnium ætatum numerando
Si Christianus fueris,
Si amans patriæ,
Utroque nomine gaudere potes
BERKELEIUM VIXISSE.

The mention of Bishop Berkeley's encouragement of learning in this country, recalls the name of a still more munificent patron of our literature.

Thomas Hollis, "an Englishman, a lover of Liberty," as he was wont to style himself, inherited an ample fortune at an early age. From his boyhood he was grave, studious, and austere, and as his mind unfolded itself, the patriot passion took entire possession of his breast.

"When a boy at school," said he, "I used to rob nature of her rest to read Plutarch, honest Plutarch, and to read again the lives of his heroes; and to him I owe, I willingly confess, the finest dispositions of my mind."

This admiration of the heroes of ancient liberty, naturally led him to the study of the republican writers of England, among whom, Milton and Algernon Sidney soon became his prime favourites. He was inflamed with an almost idolatrous admiration of the learned imagination, the lofty sentiment and moral wisdom of Milton; of the manly and simple, yet stately, eloquence of Sidney; and of the republican ardour of both. In endeavouring to assimilate his mind to these great models, he contracted some of the hard and stern features of their character. At least, it is observable, that his indignation against the wrong doer was generally more forcibly expressed than his sympathy for the wronged, and he was too ready and bitter in imputing selfish or

slavish motives to men of as pure intentions as his own.[a]

He was besides a little tinctured with that exaggeration of thought and artificial manner which usually accompany a professed and studious imitation of any individual model, however excellent it may be.

Nevertheless, his zeal was always honest and always well directed, and it may be said of him, in that Miltonic language which he loved,

> ——————— all his mind was set
> Serious to learn, and know, and thence to do,
> What might be *public good;* himself he thought
> Born to that end, born, to promote all truth,
> And righteous things.

He despised all the parade of life, and indulged himself in none of those luxuries or amusements common to men of fortune, but devoted nearly the whole of his large revenue to objects of public utility. The narrative of his life is little more than a recital of a long series of liberal and public spirited benefactions, either for the relief or encouragement of meritorious individuals, or for the promotion of what he judged to be the most valuable interests of mankind. He dedicated his literary talent and his taste in the fine arts to the same end.[b] "My purpose," said he, speaking of one of his

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a I allude, among other instances of the same sort, to his constant vituperation of the good Dr. Secker. I presume that it was on this account that Mrs. Carter, (Boswell's Johnson, III. 220. Philadelphia edit.) censured him for uncharitableness, and justly. But she erred herself in the same way, in calling Hollis an atheist.

Hollis was not an atheist, nor had he any tendency, as Johnson said, "to exuberate into an atheist." He was a devout man, though, like Milton, he belonged to no sect, and attended no form of public worship, but was, as Burnet says of Sidney, "a Christian after a way of his own."

b The splendid quarto edition of the Memoirs of Thomas Hollis, (which was published by his nephew, T. B. Hollis,) is filled with engravings from original drawings and portraits, which Hollis had published or distributed during his life.

These were designed and executd under his immediate inspection, at his own expense, and from his own ideas, sometimes to encourage and bring into notice a meritorious artist, and sometimes to spread or revive the fame of some favourite hero or author. They are all very creditable to his taste in the arts. I do not rate his literary talent so high; but his style, though it is too affectedly antiquated, smacks of the elevation and grave dignity of Milton and Sidney.

undertakings, but, in truth, decribing them all, "is to illustrate and support Liberty, to preserve the memory of its champions, to make tyranny and its abettors odious, to extend science and art, and to keep alive the honour and estimation of their patrons; and if such should be the fitness of things, to propagate the same benevolent spirit of posterity."

One of his most usual modes of carrying these generous designs into effect, was the publication and distribution, at his own expense, of valuable books. Besides republishing in this way most of the classical writers of old English republican politics, he reprinted, in England, several of the most important American pamphlets and essays, which appeared during those political discussions which led to our Independence.

He selected Harvard College as the particular object of his munificence in America, as his father had done before him; and for many years continued to bestow upon it benefaction after benefaction, with so much judgment and taste, and with such princely generosity, that the Hollis family may be considered as the second founders of that now prosperous, wealthy, and learned university.

Judicious beneficence has often the power of extending itself far into futurity. The liberality of Hollis has, since his death, called forth repeated similar instances of individual bounty; to which Harvard College is chiefly indebted for her numerous professorships and her splendid library.

It must be added, that this spirit of private munificence towards the learned institutions of America, has been hitherto, for the most part, confined to the inhabitants of Boston and its neighbourhood. I speak this to their honour and to our shame.

Hollis died suddenly, in 1774, and it was happily and truly said of him, by one of his friends, that, "at his death, Liberty lost her champion, Humanity her treasurer, and Charity her steward."[a]

a For further notices of the life and benefactions of Hollis, see Memoirs of Thomas Hollis, 2 vols. 4to London, said to have been compiled by the once celebrated Archdeacon Blackburne, author of the Confessional.

It would be most easy to prolong this enumeration of those virtuous and wise men of Great Britain and Ireland, who have, on different accounts, merited the gratitude of the American people.[a]

Indeed such is the sympathy between that nation and our own, resulting from the unity of our language and literature, and the similarity of our laws, our tastes, and domestic manners, that scarce any well directed effort to enlarge the knowledge or to promote the good of mankind, can be made, in either country, without its effects being instantaneously felt in the other.

Nor have we, at present, any thing to dread from this reciprocal influence. The time has now gone by when a prudent policy might well look with suspicion upon every thing which tended to impair the individuality of our national character. It was wise to guard the infancy of the nation from foreign corruptions, even at the expense of foreign arts and learning. But we have now risen into the manhood of our existence; and whether we look to the past or the future, every thing conspires to animate us with the proud consciousness of our Independence. We may now gather without fear, the fruits of British Industry and genius. Theirs is a literature, rich and pure beyond example; theirs is the ripened wisdom of centuries, treasured up in the works of Jurists, Divines, Philosophers, and Patriots. If we are but true to ourselves, that wisdom and that literature are our own, unmixed with any of the base matter, with which power, prejudice, and corruption have too often alloyed the pure gold.

But we have, also, other debts of gratitude to acknowledge.

We have no cause to blush for any part of our original descent, and least of all for our Dutch Ancestry.—The colony of New Amsterdam, was founded by Hol-

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a This discourse has already been too far extended beyond the proper limits of such compositions; it is however with difficulty, that the author can refrain from paying some tribute of respect to the memory of Dr. Richard Price and of Granville Sharpe,—two of the earliest and warmest friends of America—and in different ways among the brightest ornaments of their own country

land at a time when that nation had just sprung into political existence, after a long, bloody, and most glorious struggle against civil and religious tyranny, during which all the energies of patriotism, courage, and talents, had been suddenly and splendidly developed.

After having beaten down and broken for ever the colossal power of the Spanish Monarchy, the Dutch republic continued, for nearly a century, to hold the balance of European politics with a strong and steady hand; and when the rest of the continent crouched under the menaces, and the English court was bought by the gold of France, she stood alone and undaunted, defending the liberties of the world with a perseverance and self-devotion never surpassed by any nation. During the same period she had served the cause of freedom and reason, in another and much more effectual manner, by breaking down the old aristocratic contempt for the mercantile character; and her merchants, while they amazed the world by an exhibition of the wonderful effects of capital and credit, directed by sagacity and enterprise, and operating on a vaster scale than had ever before been seen, shamed the poor prejudices of their age out of countenance by a high-minded and punctilious honesty, before which, the more lax commercial morality of their degenerate descendants in this country should stand rebuked.

It was about this same remarkable period of her history, that Holland produced many of the most illustrious men of modern Europe. There are no greater names in politics and arms, than Barneveldt and Dewitt, than Tromp[a] and De Ruyter, than Prince Maurice and the Williams of Orange—none more conspicuous in letters and philosophy than those of Erasmus, Grotius, and Boerhave. In physical and mathematical science, with the single exception of the discoveries of Newton and Galileo, more had been done in Holland than in any other nation of Europe. It was there that were invented the most important and useful instru-

a Most English writers call him Van Tromp—this is an error.

ments of Natural Philosophy; the telescope, by Jansen; the microscope and the thermometer, by Drebell;[a] the micrometer and the pendulum, in its application to clocks and as a standard of measure, by Huyghens; and the Leyden Phial, by Cuneus and Muschenbroek. It was there that an arch of the meridian was for the first time accurately measured.[b] The Medical School of Leyden, in the time of Boerhave and his immediate successors, was what that of Edinburgh has since become. In ancient literature, the scholars of Holland effected all that learning and industry could accomplish, and prepared the way for that very ingenious and philosophical investigation of the principles of language which has since been so successfully cultivated in the Dutch Universities.[c] Her Jurists were the expounders of public and of civil law to the continent, and the theologians of the whole protestant world entered into the controversies of the Dutch divines, and had ranked themselves, on either side, under the banners of Gomar and Arminius.

Nor were the talents of the nation exclusively dedicated to the severer muses. Their vernacular literature is much richer than is commonly supposed;[d] but the narrow limits of a language which was in its extent little more than a provincial dialect, forced most of the scholars of Holland to seek for fame through the medium of

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a The French Dictionaire Historique, a work of high authority, ascribes these inventions to Cornelius Drebell, a Dutch Chemist, and so too does his countryman, Muschenbroek. Few English writers on Optics mention him. But whoever was the inventor of the microscope, the first man who made it an efficient instrument of science, was Leuwenhock, who was also a Dutchman.

b By Schultens, Hemisterhuis, Valckenear, and Hoogeveen.

c Between Bergen op Zoom, and Alkmaer, in 1617 by Snelius a Dutch Mathematician.

d In the Royal Library of Paris, there is a collection of dramatic works in the Dutch language, containing near three thousand separate pieces. The works of the Historian Hooft, are scarcely known out of his own country: they should be made part of the common stock of European literature by a good English or French translation. Mirabeau calls him the Tacitus of Holland: and speaking of his history of the low countries, says, "Cet ouvrage réunit tous les genres de merite. Il est recommendable pour l'exactitude des faits, fortement pensé, purement ecrit." —*Lettres aux Batayes.*

the dead languages; and the most perfect specimens of modern latinity, both in prose and verse, are to be found in their works. Among these is to be numbered a history of their own revolution, which is esteemed one of the most perfect specimens of modern historical composition, and rivals the elegance, acuteness, and condensation of Tacitus.

Besides attaining to distinguished excellence in other walks of art and taste,[a] Holland could boast of having formed a numerous and original school of painters, who, for absolute verity of representation, and powerful delineation of ordinary nature and common life, are entitled to the same rank in the imitative arts, that Le Sage and Smollett occupy in literature. More than this—it had given birth to Rembrandt, who, by carrying to their full extent the power of light and shade, and the magic of colouring, produced, at will, the most beautiful and the most sublime effects, and is, on that account, deservedly enrolled among those great masters who have augmented the power of human skill, and multiplied the means of intellectual pleasure; who have raised painting from imitation into poetry, from a mechanic art to a learned and liberal profession.

In their internal administration the United Provinces anticipated, and in some points surpassed, the wisdom and equality of our own institutions. The traveller saw with admiration the land that was but yesterday rescued from the ocean by human industry, now filled with busy and crowded cities, and beautiful in the placid richness of high cultivation;[b] no sign of misery or of oppression anywhere met his eye, and in all that he beheld of pri-

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a Somewhere in the Spectator, Addison justly extols the beauty and pure taste of the monuments of the great admirals in the churches in Holland, and contrasts them to the absurdities and barbarism of that of Sir Cloudesley Shovel and others in Westminster Abbey.

b Diderot, who visited Holland in 1773, and therefore saw it a little fallen from its former glories, though still under the influence of its ancient government and manners, observes, "Une des choses dont on est continuellement et delicieusement touché dans toute la Hollande, c'est de n'y recontrer, nulle part, ni la vue de la misere, ni le spectacle de la tyrannie." The Dutch nation still retains many points of its ancient character, but it no longer enjoys this happy exemption from the ills which afflict the rest of Europe.

vate comfort or of public magnificence he was forced to acknowledge the work of liberty.

This sketch of the early glories of the Dutch republic is but slight and imperfect, and yet even this must fill us with astonishment, when we reflect that such were the exploits and attainments of a people occupying a territory not equal in extent to Maryland,[a] and much inferior to it in natural advantages; and whose whole population did not very much exceed the present census of the state of New-York.

These remarks ought to have been wholly unnecessary in this place; but I know not whence it is, that we in this country have imbibed much of the English habit of arrogance and injustice towards the Dutch character.

English writers have long been accustomed to describe the peculiar manners and customs of Holland with a broad and clumsy exaggeration. This is a little injudicious in them, because most of their wit, if wit it may be called, recoils back upon their own country, and strikingly resembles the flippant ridicule which their own more lively neighbours have lavished upon the hard drinking, the oaths, the gross amusements, the dingy coffee-houses, the boxing matches, the beer, and the coal-smoke of the proud and melancholy Islanders.[b] Their old maritime contests and commercial rivalry may serve to excuse this misrepresentation in Englishmen, but for us there is no apology.

The subject is not a pleasing one, and I do not wish to dwell upon it; yet I cannot refrain from observing two most notable instances of this spirit among English writers. Dryden and the other dramatists and occasional poets of Charles II.'s reign are full of sarcasms upon Dutch cowardice; and yet, strange as it may seem, most of these sarcasms were given to the English public about the very time that London was trembling at the

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a The seven United Provinces were calculated to contain something less than 10,000 square miles. Maryland contains 10,660.

b See, among many other instances, the pleasantry of the witty Beaumarchais on these subjects in his "Marriage de Figaro," and of the lively author of "Quinze Jours a Londres;" to say nothing of the gross inventions of General Pillet.

sound of De Ruyter's cannon on the Thames, and but a few years after the time when Tromp, after defeating Admiral Blake, the Nelson of that day, triumphantly swept the commerce of England from the narrow seas. The other instance is of later date. Almost within our own memory, a learned English judge, (Sir James Marriott) in a formal and laboured opinion, took occasion to sneer at the treatise of Huberus, *De conflictu Legum*, which has settled the law of the greater part of the civilized world on the often litigated points of the *Lex loci contractus*, as "the dull work of a Dutch schoolmaster, written in the worst Latin, and printed on the worst paper he had ever seen."[a]

It is more "in sorrow than in anger" that I feel myself compelled to add to these gross instances of national injustice, a recent work of a writer of our own, who is justly considered one of the brightest ornaments of American literature. I allude to the burlesque history of New-York, in which it is painful to see a mind, as admirable for its exquisite perception of the beautiful, as it is for its quick sense of the ridiculous, wasting the riches of its fancy on an ungrateful theme, and its exuberant humour in a coarse caricature.[b]

This writer has not yet fulfilled all the promise he has given to his country. It is his duty, because it is in his power, to brush away the pretenders who may at any time infest her society, her science, or her politics; or if he aspires, as I trust that he does, to strains of a higher mood, the deeds of his countrymen, and the undescribed beauties of his native land afford him many a rich subject, and he may deck the altar of his country's glory with the garlands of his taste and fancy.[c]

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a Sir James Marriott's opinion in the case of the Columbus.

b Knickerbocker's History of New-York.

c To those who judge of W. Irving's powers solely from his satirical and ludicrous compositions, this may seem an exaggerated compliment. But he has given some samples, too few and too short I confess, of what he is able to effect on these topics in his graver and purer style. Among these are two anonymous tracts of remarkable interest; an essay, entitled "Traits of Indian character," and a narrative of the life of "Philip of Pokanoket," the famous Rhode-Island Indian chief; they are both to be found in the Analectic Magazine for 1814.

How dangerous a gift is the power of ridicule! It is most potent to unmask the pretender and to brand the hypocrite; yet how often has it dissipated those gay illusions which beguile the rough path of life—how often has it chilled the glow of genius and invention—how often, at its dread presence, have the honest boasts of patriotism, the warm expression of piety, the generous purpose of beneficence faltered on the lips and died away in the heart.

This colony was very early separated from its mother country, and grew up into wealth and importance under the influence of English laws and education. During the forty years which it remained under the Dutch government it was too insignificant to attract much of the attention or of the talents of Holland, then engaged in struggling for existence, against the ambition of France and the jealousy of England. But the last Dutch governor, Petrus Stuyvesant, who was the governor-general of the Dutch American possessions, was no common man. He had served with reputation in the wars of the United Provinces; and in the history of his administration in this country, he appears as a resolute and intrepid veteran, and a vigilant, sagacious politician.[a]

From 1674, when this province was finally ceded by treaty to Great Britain, until 1780, when the United Provinces arrayed themselves in our aid in the war of Independence, New-York had little direct communication with Holland. The only intercourse which was kept up, was by occasional emigrations, and by a regular succession of clergy educated in the Dutch universities, to which this state was doubtless indebted for most of the little learning which was thinly scattered over it during its colonial government. But as soon as America assumed her rank among the nations of the earth, our former ties of friendship and affinity were renewed. From the first dawn of the revolution, popular feeling in the United Netherlands began to run strongly in our

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a Smith's History of New-York, Chap. 1. Correspondence in Hazard's State Papers.

favour, and although various circumstances for some time delayed their formal recognition of our independence, we looked thither from the first for the sinews of war.

Amongst those European friends of liberty who engaged most ardently in the cause of American Independence, and contributed most effectually towards its final success, must be named the late Professor Luzac, of Leyden; who, though long esteemed and loved by several of our greatest men, is little known among us, and has never received from the people of this country that honour which his disinterested attachment, his zeal, and his important services have amply merited.

John Luzac was born at Leyden in 1746. He was a son of the learned printer of the same name, who established and for many years published the celebrated Leyden Gazette. He completed his course of study at the university of his native town with much reputation, and was particularly distinguished for his acquirements in the mathematics and the learned languages. He then applied himself to the law as his future profession, and commenced his career at the bar with the most brilliant promise. But after some time, he was induced to relinquish these prospects in order to take charge of the Leyden Gazette, which under his care soon became equally celebrated for the elegance of its style, the accuracy of its information, and for the comprehension, penetration, boldness, and correctness of its political views. There is not at this day any publication here or abroad which affords an exact parallel to this journal, either as it respects extent of circulation or influence upon the public opinion of Europe. Most of the presses of the continent were then under a rigid censorship, and had entirely forfeited public confidence on all political subjects. This paper issuing from a free country, the very centre of political and commercial information, and written in French, the universal language of all who then aspired to speak or write on political matters, acquired a reputation for extent and accuracy of knowledge and independence of opinion, which.

without the parade of literary pretension, gave it something of the same kind of rank which the abler British reviews hold at present; while its circulation was far more general and extensive. It was in fact the general continental and diplomatic journal. There was not an ambassador nor a statesman it Europe who was not in the habit of reading it, and it has been said, that it was regularly translated at Constantinople for the use of the Divan. Its files are still frequently referred to as affording the most authentic and ample materials of modern European history. From 1770 the younger Luzac was the sole writer of the editorial part of this journal, and without solicitation or the countenance of government, he enlisted all his talents and information on the side of American freedom.

The effects of his writings on this subject, upon the opinions of the continent, were, of course, gradual, but they were very powerful, and they were acknowledged and repaid by the friendship of Franklin, Adams, and Jefferson, as well as of the other official representatives of our government at the several European courts.

After our independence was acknowledged, he engaged with warmth in supporting against encroachment the ancient constitutions, under which Holland had enjoyed so much prosperity; in consequence of this he was exposed to much obloquy and persecution. But his private life was irreproachable, and as a politician, he was incorruptible and inflexible. He had no personal views, or animosities. If he was sometimes animated, and even harsh in his censure, it always arose from "the strong antipathy of good to bad;" never from private feeling; for he had no enemies but those of his country and of virtue.

His political zeal never interrupted his literary labours. He was elected to two separate chairs in the university, and filled with ability, the professorship of history and that of Greek literature, in the latter of which, he proved himself worthy to be the successor of the laborious and ingenious Valckenaer, of whose posthumous works he published an edition, to which he af-

terwards added an original work of his own, entitled *Lectiones Atticæ*, written in the same spirit of philosophical criticism. Finally he was appointed Rector or President of the university.

On his inauguration as professor, he delivered an oration on the civic character of Socrates,—"de Socrate cive;" and another on his installation as rector "de Eruditione altrice virtutis civilis, presertim in civitate liberâ," on the influence of literature on public virtue.—Both of these orations are very remarkable for their sound and stern morality, as well as for their high and truly Roman spirit of Liberty, and the courage with which he stigmatizes alike the tyranny of the many and the few. To these discourses he prefixed a long prefatory dedication, addressed to his friend John Adams, at that time Vice-President of the United States. It is distinguished, among other things, for a most luminous eulogy of the then recently adopted American constitution, in which the author sums up in Ciceronian latinity, all the prominent and peculiar features of our federal government, touches, with acuteness and foresight, on the several dangers to which it is exposed, and finally expresses his confident reliance on its power to ward off those ills to which his own country had fallen a prey. The merit of this discussion is the more conspicuous, from its contrast to the unaccountable perplexity and confusion which surround the best informed European politicians[a] in all their speculations on our constitutions, and particularly on the division of power between the general and state governments.

After alluding with undissembled satisfaction to some literary honours he had received from America, and to his personal friendship with Adams and Jefferson, Luzac adds, that he recollects, with pride, that he had been invited by them, and almost persuaded, to associate his fortunes, under their auspices, with those of the American republic, which, says he, had I done eight years ago—and then, as if overpowered with the recol-

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a As among many others, Jeremy Bentham in his late correspondence on *codification*.

lection of the recent discords of his own country, breaks off with "sed quid ego tecum de nostris Batavorom per sedecem annos temporibus atque fatis."[a]

To the soundest philosophy and the most various knowledge, Luzac added a simplicity and an amenity of disposition and manners that gave great interest to his character and conversation. One of his biographers, who had been associated with him in his learned labours and in his political persecution, observes of him, "I knew the whole charm of his conversation; I sometimes fancied myself in the presence of one of the sages of antiquity. I could then forget my exile and proscription, and felt all my severe losses mitigated."

His age was honourable and peaceful. He filled his high literary offices for many years, during which he kept up a constant correspondence with several of the most learned men of the United States, and had the satisfaction of assisting, in various ways, the progress of learning in America. In 1807, he was killed in the terrible explosion which destroyed a great part of the city of Leyden.[b]

History derives more than half its value from the moral parallels and contrasts which it suggests. It is a singular coincidence of this sort, that between the years 1682 and 1688, at the very time that William Penn, the gentlest and purest of all rulers, was rendering his name for ever illustrious, by establishing, in America, a refuge for the wretched and oppressed of the whole earth; Louis XIV., one of the most gorgeous and heartless of sovereigns, was delivering up three hundred thousand families of his protestant subjects to the atrocious tyranny of the fanatical Le Tellier, and the sanguinary Louvois; and by his ambition of universal empire abroad, and his bigotry and ostentation at home, was preparing for France those calamities which have since fallen upon her. The Huguenots were the most moral,

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a Luzac, Orationes, 4to. Ludg. Bat. 1795.

b For the above facts, see Luzac's *Opuscula*, and an account of his life originally printed at Paris, in the *Journal de l'Empire*, in 1807; a translation of which is published in the Boston Anthology, for October, 1809.

industrious, and intelligent part of the French population, and when they were expelled from their native country, they enriched all Europe with the commerce and arts of France. Many of the more enterprising of them, finding themselves shut out, by the narrow policy of the French court, from Louisiana, where they had proposed to found a colony,[a] turned their course to New-York and to South Carolina, where they soon melted into the mass of the population.

Certainly we cannot wish to see perpetuated among us the old Asiatic and European notions of indelible hereditary excellence: equally wild are those theories of a fantastical philosophy, which would resolve all the intellectual and moral qualities of man into accidental physical causes. But surely there is a point at which good feeling and sound philosophy can meet, and agree in ascribing the best parts of our character to the moral influence of a virtuous and intelligent ancestry.

Considering the subject in this light, we may well look back, with pride, to our Huguenot forefathers. The modern historians of France have rarely done them full justice. The decline which the loss of their industry and arts caused in the commerce of their own country, and the sudden increase of wealth and power which England and Holland derived from them, are sufficient proofs that their general character was such as I have described. Nor are they to be regarded solely as prosperous merchants, and laborious and frugal artisans.

The French character never appeared with more true lustre than it did in the elder Protestants. Without stopping to expatiate in the praise of their divines and scholars, Calvin, Beza, Salmasius, and the younger Scaliger; Claude, Jurieu, Amylraut, and Saurin, nor on those of Sully, the brave, the wise, the incorruptible, the patriotic; I shall only observe, that though his own countrymen have been negligent of his glory, and rather chose to rest the fame of French chivalry on their Du-

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a Raynal, Histoire Philosophique, Liv. XVI.

nois, their Bayard, their Du Guescelin, and their Crillon, we may search their history in vain for a parallel to that beautiful union of the intrepid soldier with the profound scholar, of the adroit politician with the man of unbending principle, of the rigid moralist and the accomplished gentleman, which is to be found in the life of the Huguenot chief, Mornai Du Plessis.[a]

Many of those who emigrated to this country, after the revocation of the edict of Nantes, were the companions, the sons, or the disciples of these men, and they brought hither a most valuable accession of intelligence, knowledge and enterprise.

From that time, political circumstances cut us off from all further intercourse with France, until the period of our revolution. There are, indeed, in the history of Louisiana and of Canada, some fine incidents of magnanimity, courage, and philanthropy, honourable to the French character, and on which I could dilate with pleasure; were it not that I have already expatiated beyond the bounds I have prescribed to myself.

But I should do injustice to the gratitude of my country, if, in commemorating her benefactors, I should omit to pay some honour to the memory of Louis XVI. Our distance from the factions, animosities, and interests of Europe, enables us to place ourselves, as it were, in the situation of posterity; and this republic is as yet the only land in which that much injured sovereign can receive an honest and unprejudiced eulogium. Let us then lose no opportunity of anticipating the justice of history towards the man, who, in the words of our old congress, "was raised up by a gracious Providence to be our friend," and who, as the same venerated body repeated at the peace of 1783, "enabled us to close the war on an honourable and firm foundation, in freedom, safety, and independence."

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a Du Plessis is very conspicuous in all the histories and memoirs of his time; but the best account of his private character is, "Crusii Singularia Plessiaca, seu memorabilia de vita et meritis Philippi Mornoei de Plessis." 8vo. Hamburg, 1724.

Indeed, it is impossible to express the weight of our obligations to him, better or more strongly than in the very words of the men of the revolution. In a memorable and eloquent state-paper, written by John Dickinson, and signed as President by John Jay, addressed by the unanimous consent of congress to the several states, they thus speak: "The conduct of our good and great ally towards us, has so fully manifested his sincerity and kindness, as to excite on our parts, corresponding sentiments of confidence and affection. Observing the interests of his kingdom to be connected with those of America, and the combination of both clearly to coincide with the beneficent designs of the Author of nature, who unquestionably intended men to partake of certain rights and portions of happiness, his majesty perceived the attainment of these views to be founded on the single proposition of a separation between America and great Britain. The resentment and confusion of your enemies, will point out to you the ideas you should entertain of the magnanimity and consummate wisdom of his most Christian Majesty on this occasion. *They* perceive, that selecting this grand and just idea from all those specious ones that might have confused or misled inferior judgment and virtue; and, satisfied with the advantage that must result from that event alone, he has cemented the harmony between himself and these states, not only by establishing a reciprocity of benefits, but by eradicating every cause of jealousy or suspicion. They also perceive, with similar emotions, that the moderation of our ally, in not desiring an acquisition of dominion on this continent, or an exclusion of other nations from a share of its commercial advantages, has given no alarm to those nations, but has, in fact, interested them in the accomplishment of his generous undertaking."[a]

Nor is there any thing in the after-life of Louis to induce republicans to revoke these praises.

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a "Address of congress on the present situation of affairs," 26th of May, 1779. Dickinson's Political Works, II. 53.

The history of the French revolution, and of the events which led to it, has been hitherto written only by party zealots, and those of no very commanding talents or extended views. When hereafter its Tacitus shall arise, what subjects will it afford for his philosophy and for his eloquence! Virtue and vice mixed in mad confusion; the basest passions and the noblest feelings, on all sides, and often in the same breast, struggling together for the mastery.—France made glorious in a thousand hard-fought fields by the universal and unrivalled valour of Frenchmen—France rendered up a trembling victim to tyrant after tyrant, by the universal cowardice of Frenchmen.—The female character in its greatest elevation and in its deepest depravity—Woman, now dreadful with fiend-like intelligence and malignity, and now, exalted into more than Roman heroism by higher principles than Pagan antiquity ever knew.

Throughout the long and dreadful narrative, the historian will never lose sight of the meek and steady virtues of the patriot king. He will describe him, in early youth, in the midst of a corrupt and sensual court, forming his concience and regulating his life by the mild and holy precepts of Fenelon;[a] surrounded by bigoted or heartless politicians, yet glowing with affection for his people, and eagerly co-operating with the enlightened friends of freedom[b] in the reform of abuses, the limitation of his own powers, and the establishment of popular rights. He will relate, that he staked every thing on this vast and bold experiment of regulated liberty and representative government; and at last voluntarily offered up his life in that cause, rather than purchase it at the expense of the blood of his countrymen. He will portray him, as the danger thickened, summoning all his virtues to his heart, and rising greater and greater in the hour of calamity.

Finally, the historian will paint the sorrows and the consolations of his prison—or rather, he will tell that

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a The "Directions pour la conscience d'un Roi," was the favourite book of Louis XVI.

b Malesherbes, Turgot, &c.

touching story in the plain words of those who saw and loved him to the last:[a] and then, as he follows the king to the place of his death, accompanied by his last and faithful friend, the venerable Abbe Edgeworth, he will insensibly catch that good man's pious enthusiasm, and with him, forgetting the wrongs of the patriot and the sorrows of the husband and the father,in his veneration of the saint and the martyr, he will exclaim at the foot of the scaffold, "Go, Son of St. Louis, ascend to Heaven." "*Montez, Fils de St. Louis, montez au Ciel.*"

As I have advanced, I find my subject widening upon me on every side. It is true, that few European names are to be found to which we owe so large a debt of public gratitude, as we do to those characters of surpassing excellence, which I have already attempted to portray.

But, in later years, there is scarce a single individual who has obtained a place in history, by his virtues as well as by his talents, who has not, at some period of his life, been ambitious of deserving the esteem of the American people. In this point of view, our history is rich indeed. It has not, like the history of the old world, the charm of classical or romantic associations, and it bends itself with difficulty, and without grace, to the purposes of poetry and fiction. But in ethical instruction, in moral dignity, it has no equal.

The study of the history of most other nations, fills the mind with sentiments not unlike those which the American traveller feels on entering the venerable and lofty cathedral of some proud old city of Europe. Its solemn grandeur, its vastness, its obscurity, strike awe to his heart. From the richly painted windows, filled with sacred emblems and strange antique forms, a dim religious light falls around. A thousand recollections of romance, and poetry, and legendary story, come crowding in upon him. He is surrounded by the tombs of the mighty dead, rich with the labours of ancient art, and emblazoned with the pomp of heraldry.

What names does he read upon them? Those of princes and nobles who are now remembered only for

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[a] Malesherbes, Clery, Abbe Edgeworth, and others.

their vices; and of sovereigns, at whose death no tears were shed, and whose memories lived not an hour in the affections of their people. There, too, he sees other names, long familiar to him for their guilty or ambiguous fame. There rest, the blood-stained soldier of fortune—the orator, who was ever the ready apologist of tyranny—great scholars, who were the pensioned flatterers of power—and poets, who profaned their heaven-given talent to pamper the vices of a corrupted court.

Our own history, on the contrary, like that poetical temple of Fame, which was reared by the imagination of Chaucer, and decorated by the taste of Pope, is almost exclusively dedicated to the memory of the truly great. Or rather, like the Pantheon of Rome, it stands in calm and severe beauty amid the ruins of ancient magnificence and "the toys of modern state." Within, no idle ornament encumbers its bold simplicity. The pure light of heaven enters from above and sheds an equal and serene radiance around. As the eye wanders about its extent, it beholds the unadorned monuments of brave and good men who have greatly bled or toiled for their country, or it rests on votive tablets inscribed with the names of the best benefactors of mankind.

> Hic manus, ob patriam pugnando, volnera passi,
> Quique sacerdotes casti, dum vita manebat,
> Quique pii vates, et Phoebo digna locuti,
> Inventas aut qui vitam excoluere per artes,
> Quique sui memores, alios fecere merendo.

Doubtless, this is a subject upon which we may be justly proud. But there is another consideration, which, if it did not naturally arise of itself, would be pressed upon us by the taunts of European criticism.

What has this nation done to repay the world for the benefits which we have received from others? We have been repeatedly told, and sometimes, too, in a tone of affected impartiality, that the highest praise which can fairly be given to the American mind, is that of possessing an enlightened selfishness; that if the philosophy and talents of this country, with all their effects,

were for ever swept into oblivion, the loss would be felt only by ourselves; and that if to the accuracy of this general charge, the labours of Franklin present an illustrious, it is still but a solitary, exception.

The answer may be given, confidently and triumphantly. Without abandoning the fame of our eminent men, whom Europe has been slow and reluctant to honour, we would reply; that the intellectual power of this people has exerted itself in conformity to the general system of our institutions and manners; and therefore, that for the proof of its existence and the measure of its force, we must look not so much to the works of prominent individuals, as to great aggregate results; and if Europe has hitherto been wilfully blind to the value of our examples and the exploits of our sagacity, courage, invention, and freedom, the blame must rest with her, and not with America.

Is it nothing for the universal good of mankind to have carried into successful operation a system of self-government, uniting personal liberty, freedom of opinion, and equality of rights, with national power and dignity; such as had before existed only in the Utopian dreams of philosophers? Is it nothing, in moral science, to have anticipated in sober reality, numerous plans of reform in civil and criminal jurisprudence, which are, but now, suggested as plausible theories by the politicians and economists of Europe? Is it nothing to have been able to call forth on every emergency, either in war or peace, a body of talents always equal to the difficulty? Is it nothing to have, in less than half a century, exceedingly improved the sciences of political economy, of law, and of medicine, with all their auxiliary branches; to have enriched human knowledge by the accumulation of a great mass of useful facts and observations, and to have augmented the power and the comforts of civilized man, by miracles of mechanical invention? Is it nothing to have given the world examples of disinterested patriotism, of political wisdom, of public virtue; of learning, eloquence, and valour, never exerted save for some praise-worthy end? It is sufficient

to have briefly suggested these considerations; every mind would anticipate me in filling up the details.

No—Land of Liberty! thy children have no cause to blush for thee. What though the arts have reared no monuments among us, and scarce a trace of the Muse's footstep is found in the paths of our forests, or along the banks of our rivers; yet our soil has been consecrated by the blood of heroes, and by great and holy deeds of peace. Its wide extent has become one vast temple and hallowed asylum, sanctified by the prayers and blessings of the persecuted of every sect and the wretched of all nations.

Land of Refuge—Land of Benedictions! Those prayers still arise, and they still are heard: "May peace be within thy walls, and plenteousness within thy palaces!" "May there be no decay, no leading into captivity, and no complaining in thy streets!" "May truth flourish out of the earth, and righteousness look down from Heaven."

APPENDIX.

No. I. p. 50—52 and 56—58.

The authority of Dr. Robertson, as an historian, has been impeached by various writers, and particularly by the Abbe Clavigero, in his History of Mexico, who charges him with having, in his account of that country, misrepresented some points and mistaken others. Without entering into this controversy, it is, I think, pretty evident that Dr. Robertson always writes for popular effect, and thus very frequently, without any intention of disguising the truth, discolours it by his endeavour to make the narrative striking and picturesque.

There is an instance of this, which I believe has never been pointed out, and as it has reference to one of the subjects of the preceding discourse, may be properly noticed in this place. In his account of the banishment of Roger Williams, (History of America, Book X.) he states that "Williams having conceived an antipathy to the cross of St. George in the standard of England, declaimed against it with so much vehemence as a relic of superstition and idolatry which ought not to be retained among a people so pure and sanctified, that Endicott, one of the members of the Court of Assistants, publicly cut the cross from the ensign displayed before the Governor's gate. This frivolous matter interested and divided the colony. After a long controversy, carried on by both parties with that heat and zeal which in trivial disputes supply the want of argument, the contest was terminated by a compromise. The cross was retained in the ensigns of courts and ships, but erased from the colours of militia. Williams, *on account of this*, as well as of some other doctrines deemed unsound, was banished out of the colony." It is indeed true that an absurd controversy, such as Dr. Robertson here describes, existed about this period. But it formed no part whatever of the grounds on which Williams was banished, and instead of his being, as here represented, the hero of the controversy, Cotton Mather expressly states that "in this difference he (Williams) was indeed but obliquely and remotely concerned!"—Magnalia Americana, Book VII. Chap. 9. The other chief authorities, on Williams' history, are silent on the subject. The truth seems to be, that this objection to the flag was rather an inference which Endicott drew from

his pastor's discourses, than any formal discussion of the subject by Williams. Endicott was a man of some talents, but very extravagant in many of his notions, and likely to run into any violence of this sort, of his own head. It was he, who several years after, made a public declaration against wigs, "as a thing uncivil and unmanly, whereby men do deform themselves, and offend sober and modest persons, and do corrupt good manners." The story of the colours is amusing, and Robertson finding it told in connexion with the rest of Roger Williams' history, without stopping, as a philosophical historian should have done, to investigate the character of this father of religious liberty, willingly seized the opportunity of enlivening his pages with a pleasant anecdote.

His building up the charge against Las Casas, of introducing negro slavery into America, upon a sort of *obiter dictum* of Herrera, probably arose from the same cause. Like Bayes in the Rehearsal, his uniform desire is "to elevate and surprise," and Las Casas's inconsistency of character told well in the narrative, and gave the historian an air of acute discrimination; so that he was willing to adopt the story upon any authority, and in relating it, naturally tinged it with the colours of his own very picturesque imagination. The only copy of Herrera to which I have access at present is unfortunately deficient in the very pages referred to. I must therefore rely on the accuracy of the extract given in the Memoirs of the French Institute; of which, however, it is to be presumed, no reasonable doubt can be entertained.

Herrera's words, there cited, are these:

"El licenciado Bart. de Las Casas viendoque sus concetos hallavan en todas partes dificultad, y que las opiniones que tenia por mucha familiaridad que avia conseguido y gran credito con el gran Canciller no podian aver efeto, se bolvio a otros espedientes, procurando que, a los Castellanos que vivian en las Indias, se diesse saca de negros, para que con ellos en las grangieras en las minas fuessen los Indios mas aliviados: y que se procurasse de levanter buen numero de labradores que passassen a ella con ciertas libertades y conditiones que puso."—*Herrera, Historia de las Indias Occidentales, dec.* II. *l.* 2. *cap.* 20.

"The licentiate Barthelemey Las Casas, seeing that his plans met with difficulties on every side, and that the expectations he had founded on his great intimacy with the Grand Chancellor, and the high credit he had with him, were likely to come to nothing, turned himself to other expedients, such as the procuring for the Castilians who resided in the Indies, a sufficient cargo of negroes, so that by their help the labours of the Indians, in working the ground and the mines, might be alleviated; and also the procuring of a good number of labouring people, who should be induced to emigrate by the grant of certain liberties and privileges," &c.

The writers who, without direct reference to this question, impeach the general credit of Herrera, are the Dutch historian Johannes De Laet, and his own countrymen Solis and Torquemada. The last is author of the Monarchia Indiana, and is considered the most accurate writer that we have on the affairs of Spanish America, where

he resided for the greater part of his life. Munoz also, in the preface to his History of the New World, though he palliates the crimes of his countrymen, and charges Las Casas with exaggeration on the subject, yet accuses Herrera of relating doubtful traditions as certain facts, of writing with careless haste, and adding or omitting according to his own caprice or prejudices.

I have said in the preceding pages that Las Casas had the satisfaction of having called forth the testimony of the better spirits of his nation against persecution and bigotry. The chief names which Gregoire gives, as worthy of being thus honourably associated with that of Las Casas, (besides the two universities of Salamanca and Alcala in their corporate capacities,) are Francisco de Vittoria, (a writer frequently cited by Grotius,) Antonio Ramirez, who publicly refuted Sepulveda, Garces Bishop of Tlascala, Avendanno, who wrote largely against slavery, and defended the cause of the negroes as well as of the Indians, and above all the Dominicans, Petro de Cordova and Antonio de Montesino.

> Rise, Muse of history, lend your tuneful breath—
> These must not sleep in darkness and in death.

While these pages were printing, I have unexpectedly met with a very strong corroboration of the facts stated by Gregoire in support of the *argumentum negans*, drawn from the silence of competent witnesses. It is in the review of "Stewart's Introduction to the Encyclopedia," contained in a late number of the Edinburgh Review, which from the internal evidence afforded by the splendour and variety of its style, and the remarkable knowledge of the history of metaphysical, ethical, and political science displayed in it, I should assign to the pen of Sir James Mackintosh.

In vindicating the right of the early writers on International Law to a much higher rank than Mr. Stewart has allowed them, the reviewer observes, "Francis de St. Victoria seems to have been the first man who acquired reputation by this study. He died a professor of Salamanca, in 1546. His works we never have been able to procure. Of his scholar, Dominic Soto, we can speak with greater certainty, having perused his work "De Justitia et Jure." His book, the substance of lectures long delivered at Salamanca, was published there in 1460. It is a work which contains many symptoms of the improvements arising from the revival of letters, which had penetrated into the Spanish schools. It ought not to be forgotten, for the honour of these now forgotten jurists, that Victoria condemned the wars then waged by his countrymen against the Americans, under the pretext, or even for the purpose of spreading Christianity; and that Soto decided against the lawfulness of enslaving the same unhappy tribes, in a dispute on that subject between Sepulveda and Las Casas, of which the decision was left by the Emperor to him. What is still more remarkable, Dominic Soto was the first writer who condemned the African slave trade, and did honour to his new science by employing its principles for the reprobation of that system of guilt and misery which his countrymen now almost singly strive to prolong. "If the report," says

he, "which has lately prevailed, be true, that Portuguese traders entice the wretched natives of Africa to the coast by amusements and presents, and every species of seduction and fraud, and compel them to embark in their ships as slaves, neither those who have taken them, nor *those who buy them from the takers*, nor *those who possess them*, can have safe consciences, until they manumit these slaves, however unable they may be to pay ransom.—*Soto de Justitia et Jure.*"

Now it appears morally impossible, that a writer who had thus treated these two questions, of Indian and African slavery, and who had been an umpire in the controversy between Las Casas and Sepulveda, should not have made some allusion to the inconsistency of Las Casas, had there been any ground for the charge. While, on the other hand, if Las Casas, naturally benevolent, was only misled "by the inconsistency natural to men who hurry with headlong impetuosity towards a favourite point," as Dr. Robertson supposes, surely these opinions, so decidedly pronounced by an eminent jurist and a warm partisan of his own favourite doctrine, would have instantly awakened him to a sense of his error.

Those who are curious to know more of the details of the controversy between Las Casas and his opponents, than is to be found in the popular historians and common biographical compilations, may consult Dupin's Ecclesiastical History, under the head Las Casas, among the writers of the sixteenth century.

It is a little singular that the character of Roger Williams should have been exposed to the same charge of inconsistency with that of Las Casas, and nearly on the same sort of authority. That laborious and judicious compiler, Mr. Chalmers, whose authority, like that of Herrera, rests chiefly on his having had access to many important official documents, has asserted in his Political Annals, that the toleration of Roger Williams did not extend to Roman Catholics.

This charge has been repeated by Dr. Holmes in his American Annals, and more recently by Mr. Rawle in an address to the Agricultural Society of Philadelphia, soon after the publication of the first edition of this discourse. The attention of Mr. Rawle appears to have been drawn to the subject by the eulogy which I have, I think, correctly, bestowed upon Roger Williams. His remarks are made in the spirit of candour and liberality—and are evidently dictated solely by a regard to strict historical truth. The writings of Williams contain numerous passages which show that not only Roman Catholics, but Jews and Mahometans, were included in his broad and liberal theory of toleration—or, to speak more correctly, of religious liberty. Still, however, if as in the case of Las Casas, the charge had been made at a later period, it would have been very difficult to have refuted it, otherwise than by indirect and presumptive evidence. Fortunately for the fame of this truly great, though eccentric man, this question was raised under more favourable circumstances; and Mr. Eddy, of Rhode Island, for many years the Secretary of that State, and now one of its representatives in Congress, undertook the investigation of the subject.

In a very able paper originally communicated to the New-York Historical Society, and since published in the appendix to Mr

Walsh's "Appeal from the judgment of Great Britain," Mr. Eddy has satisfactorily demonstrated from a minute examination of the Charters, journals, laws, and records, of Rhode-Island, as well manuscript as printed, that the exception of Roman Catholics from the general toleration of the colony, formed no part of Roger Williams' system—nor did it exist under the original charter, or during the lives of the original settlers; but was subsequently introduced with a view to accommodate the policy of the colony to that of the mother country, some time after the revolution of 1688. Williams himself died in 1682. Even this provision seems to have been mere matter of form, as no penal law was ever passed, or any test or oath ever required.

No. II. p. 55, 56.

The conduct and avowed opinions of the Independents, when they were in undisturbed possession of power in New-England, gives pretty strong proof that their proposition for toleration in Old England, under Cromwell's reign, was a mere measure of political management with a view to enlist all the minor sects with whom they could in any way coalesce, against their rivals the Presbyterians. Nathaniel Ward, of Ipswich, famed in his day as a learned divine, but now better known as the author of that whimsical and quaint book, "The Simple Cobbler of Aggawam, in America," was a very distinguished and important man in England, as well as in Massachusetts. He had been bred a lawyer, had travelled much, and was thought to be so deeply skilled in the principles of general jurisprudence, that he was employed to draw up a code of laws for New-England. Cotton Mather calls him our St. Hilary, and asks why he had no statue erected to him. "He was," observes Mather, "the author of many composures full of wit and sense, among which, that entitled the *Simple Cobbler* (which demonstrated him to be a *subtile statesman*) was most considered." In this "much considered work," which was published in 1647, Ward says, "My heart naturally detests toleration of divers religions, or of one religion in *segregant shapes*. He that assents to the last, if he examines his heart by day-light, his conscience will tell him he is either an atheist, a heretic, or a hypocrite. *Poly-piety* is the greatest *impiety* in the world. To authorize an untruth by toleration of state, is to build a sconce against the walls of heaven, to batter God out of his chair. He that is willing to tolerate any unsound opinion, that his own may be tolerated, though never so sound, will for a need hang God's *bible* at the Devil's *girdle*. It is said that men ought to have liberty of conscience, and that it is persecution to debar them of it. I can rather stand amazed than reply to this. It is astonishment to me, that *the brains of men should be parboiled in such impious ignorance*. I once lived in a city where a papist preached in one church, a Lutheran in another, a Calvinist in a third. The religion of that place was motly and meagre, their affections leopard-like."

The practice of the Independents was very much of a piece with this theory. Poor Biddle, the extravagant James Nayler, and the

stout-hearted John Lilbourne, could tell, from bitter experience, how hollow a pretence the Protector's zeal for toleration was.

The ecclesiastical history of New-England is full of instances of the church's borrowing the sword of the state, (to speak in the language of those times,) in order to cut off the hydria heads of heresy. The ordinary punishment of sectaries, in Massachusetts, was fining and banishment, but the Quakers were not suffered to escape so easily.

Cotton Mather, (Magnalia, Book VII. chap. 4.) after giving some account of the Quakers, whom he calls the "worst of heretics," observes, that "The zeal of the Massachusetts Colony, to preserve themselves from the annoyances of such a blasphemous and confused generation of men, caused them to make *Sharp Laws* against them, in hopes that the terror thereby given to these *Evil doers*, would keep them from any invasion upon the colony. But, *They must need go whom the Devil drives;* so these *Devil-driven* creatures did but the more furiously push themselves upon the government for the *Sharp* which had been turned upon them; whereupon, the government unhappily proceeded unto the execution of the laws, in *scourging* and then *banishing*, and (upon their mad return) *executing* three or four of the chief offenders. But they considered these wretches, *Non qua errones, sed qua turbones.*——." "A great clamour has been raised against New-England, for their persecution of the Quakers, and if any man will appear in the vindication of it, let him do as he please: for my part, I will not."—"Nor," saith this good-natured father of American history, "do I look upon hereticide as an evangelical way for the extinguishing of heresies." It is evident that Mather's good feelings were at war with his abstract doctrines on this point, and he is, therefore, glad to find some resting place half way, and accordingly much approves of the opinion of "a wise and good counsellor in Plymouth, who propounded, that a law might be made for the Quakers to have their heads shaved." This idea seems to please him the more, as it affords him an opportunity of indulging himself in his favourite amusement of punning, by gravely remarking, "this punishment I confess was in some sort *capital*, but it would have been the best remedy for them: it would have both *shamed* and cured them."—And afterwards he adds, that "Perhaps the punishment which A. Gellius reports the Romans on certain special occasions used upon their soldiers, namely, to *let 'em blood*, would have been very agreeable for these Quakers."

Mather wrote about sixty years after these persecutions, when the fiery spirit of the first Independents had very much subsided, but before the true principles of religious liberty were received, or, indeed, distinctly understood. He himself seems to be decidedly in the Transition class, as the geologists speak.

In coarse and violent language, the Quakers were not a jot behind their antagonists. George Fox and John Bunyeat styled Roger Williams a "New-England firebrand," and called his tracts "lying, slanderous, blasphemous books." Those great divines, Owen and Baxter, fared still worse in their controversy with the Quakers: they were called "viper-grinning dogs, raggedtorn

threadbare tatterdemalions, blind moles, tinkers, cowdung, gimcracks, and whirlygigs."

Who can look back upon these things, without feelings of gratitude towards the fathers of our religious liberty? A legal toleration was the first step, and this has gradually produced the toleration of private judgment. Yet, we have still something to learn in the lesson of charity; for it is a difficult thing to be liberal without being latitudinarian, to be firm in our own faith and charitable towards that of others. But whatever progress society makes in this way is certain. We now find it so difficult to realize these delusions of our ancestors, that we are often disposed to underrate their other virtues and talents. There is a beautiful passage, not precisely on this subject, but which has an obvious bearing on it, in Dugald Stewart's last work :—

"This is remarkable in the history of our prejudices, that as soon as the film falls from the intellectual eye, we are apt to lose all recollection of our former blindness. Like the fantastic and giant shapes, which in a thick fog the imagination lends to a block of stone or to the stump of a tree, they produce, while the illusion lasts, the same effects with truths and realities; but the moment the eye has caught the exact form and dimensions of its object, the spell is broken for ever; nor can any effort of thought again conjure up the spectres which have vanished."—*Stewart's View of the Progress of Metaphysical and Ethical Philosophy.*

No. III. p. 55.

On turning to D'Alembert's *Eloge de Bossuet*, I find that he defends that eloquent Prelate from the charge of supporting and encouraging religious persecution. He says that Bossuet, accustomed to force his wandering brethren back to the church only by the arms of argument, could not persuade himself to consider bayonets as fit instruments of conversion. For the honour of our nature, of which Bossuet's genius is a shining ornament, I hope this may have been as D'Alembert states it. But certainly our faith in his authority on this point must be a little shaken, when we find him, in the notes to this *Eloge*, endeavouring also to exculpate Louis XIV. from the same charge; and asserting, that that monarch, who prided himself so much, in directing and regulating every part of his government with his own hands, did not approve of the cruelties he authorized. "Quoique les cruautés exercées contre les protestans, le fussent au nom Louis XIV. il paroit que ce prince naturellemant *juste* et *droit* ne les approuvoit pas." It may indeed be, that Bossuet, like Sir Thomas More and Dr. Johnson, spoke from a wrong theory in his head, while he acted from right feelings of the heart. At any rate, Bossuet's speculative opinions were such as they have been stated above. Besides the avowed doctrine of his *Politique tirée de l'Ecriture;* "que le roi doit employer son autorité pour détruire dans ses états les fausses religions," there is a well-known passage in his Histoire des Variations, in which he maintains the church's right to the power of the sword, or, in his own words, "L'exercise de la puissance du

glaive dans les matières de la religion et de la conscience; chose qui ne peut être revoquée en doubte—le droit est certain—il n'y a point d'illusion plus dangereuse que de donner la souffrance pour un caractere de la vraie eglise."

It is true that these are but general and rather vague expressions, and it is to be regretted that D'Alembert did not go further into the refutation of Jurieu's calumnies, if indeed they are calumnies. Bossuet must be ranked among the greatest men of modern Europe. He was the Milton of French prose. His Histoire Universelle is a wonderful feat of eloquence. By the power of language and sentiment he has given to a mere chronological table all the effect of high philosophy and oratory. His Latin style bears the same stamp. When Leibnitz proposed a general council of Catholics and Protestants, and as a preliminary desired that certain decisions of former councils should be disregarded, Bossuet summed up his reply with a sentence, of which Cicero could not have improved the elegance, nor Tacitus, the condensation and force. "Sic itaque per prostrata anteriorum conciliorum cadavera, ad triste et infelix gradiemur concilium." No wonder that the universal Leibnitz, who had carried his conquests through every region of controversy, shrunk from the grasp of this mighty master of language and logic, and confessed, in perhaps the highest eulogy that ever was given to the power of style, "Il nous écrase par l'expression."

No. IV. p. 60.

Loyd, in his State Worthies, says, that "though Lord Baltimore was a Catholic, yet he kept himself sincere and disengaged from all interests: and was the only statesman that, being engaged to a decided party, managed his business with that great respect for all sides, that all who knew him applauded him, and none that had any thing to do with him complained of him. He was a man of great sense, but not obstinate in his sentiments, taking as great pleasure in hearing others' opinions as in delivering his own. Judge Popham and he agreed in the public design of foreign plantations, but differed in the manner of managing them. The first (Popham) was for extirpating the original heathen inhabitants, the second for converting them. The former sent the lewdest people to those places, the latter was for the soberest; the one was for present profit, the other for a reasonable expectation, liking to have but few governors, and those not interested merchants, but unconcerned gentlemen, leaving every one to provide for himself, and not out of a common stock." See further in the Biographia Britannica, article "Calvert."

Anderson, in his History of Commerce, has the following notice of the first settlement of Maryland. "This year, 1632, gave rise to the colony of Maryland, being a part of what was then reckoned Virginia. Sir George Calvert, secretary of state, having in 1621 and 1622 obtained of king James a grant of part of Newfoundland, he some time after removed thither with his family, but he soon found it to be one of the worst countries in the habitable world:

whereupon he returned back to England, and he being a conscientious Roman Catholic, was inclined to retire to some part of Virginia, there quietly to enjoy the free exercise of his religion, for which purpose he went thither himself in or about the year 1631, but being discouraged by the universal dislike which he perceived that the people of Virginia had to the very name of a Papist, he left Virginia and went further up the bay of Chesapeake, and finding there a very large tract of land commodiously watered with many fine rivers, and not yet planted by any Christians, he returned for England, and represented to the king, that the colony of Virginia had not as yet occupied any lands beyond Potowmack river; whereupon he obtained a promise of the king's grant, but dying before it was made out, his son Cecilius took it out in his own name, June 20th, 1632, the king himself naming it Maryland, in honour of the Queen Henrietta Maria." See also Sir William Keith's History of Virginia.

It is generally allowed that this charter, and the fundamental code of laws, including the provisions for the protection of religious liberty, were drawn up by the first Lord Baltimore, and that his sons, Cecilius, Lord Baltimore, and Leonard Calvert, who was the first governor, merely executed the designs of their father.

Our very accurate and laborious historian, Dr. Trumbull, who seems to retain more of the spirit and tastes of good Cotton Mather and his brethren, than any living writer, and is never employed so much to his own satisfaction as when he is relating the petty ecclesiastical squabbles of Connecticut, gives an honest, if not a very warm tribute of praise to the Calvert family. "The charter of incorporation was one of the most ample which had been granted. It not only conveyed the lands in the fullest manner, but authorized a free assembly, without the least royal interference. Liberty of conscience was allowed to Christians of all denominations. Presents were made to the Indians to their satisfaction, so that the country was at peace. These circumstances, together with the rigid principles of the Virginians and some of the other colonists, had influence to expedite the settlement. Remarkable it was, that under a Roman Catholic proprietary, puritans were indulged that liberty of conscience which was denied them by their fellow protestants. Emigrants flocked in such numbers into the colony, that it soon became populous and flourishing."—*Trumbull's General History of the United States, Vol. I. p. 95.*

No. V. p. 61—65.

William Penn must be considered as the father of Quakerism as it now appears George Fox, James Nayler, and others, had indeed first given it the sectarian impulse, formed it into a distinct body, planned its discipline, and taught most of its peculiar tenets. But it was Penn who freed his sect from the wildness and extravagance of its first professors, and gave to it that spirit of toleration, and that direction of practical benevolence, on which its members now justly pride themselves. Thus he may be said to have had the same share in forming the spirit and character of his sect, that

Franklin had in the discoveries of electricity. Franklin's predecessors had been able to evolve the electric fluid, and to accumulate and condense its force; but it was he who first controlled its power, and made always harmless, and often eminently useful, what had before been a strange and alarming phenomenon.

To be enabled to effect this salutary change, as well as those other important results upon which his fame is built, it was necessary that Penn, while he equalled any of his sect in fervent zeal and sincerity, and far excelled them all in extent of knowledge, as well as comprehensiveness and clearness of understanding, should yet so far honestly participate in their failings and eccentricities, as never to lose his strong hold upon their sympathies.

We may smile when we see him and his friend Robert Spencer, commencing their religious career by falling upon the Christ Church students, after prayers, and tearing their surplices over their heads; we may lay down his "No cross no Crown" with astonishment, when we find him suspending a most noble strain of hortatory theology, (to use a Johnsonian phrase,) in order to introduce a long discussion on the abomination of hat-worship, or, when he is inculcating the practice of virtue by recounting the brightest examples of benevolence, piety, and purity, inserting among them the praises of Pope Gregory for having entirely destroyed a number of Greek and Latin historians and poets, and having been nearly successful in suppressing Terence, Martial, and Plautus; and we may well wonder how it could be possible that the same man, who in 1673, was busily engaged in controversy with a madman,[a] who maintained that Christians ought *always* to keep their hats on, unless they felt some special internal motion to take them off, could, in 1678, appear at the bar of the house of commons repelling the charges against himself and his people with the firmness and dignity of John Hampden, and maintaining the rights of conscience and liberty of faith of all, (even the then hated and dreaded Roman Catholics,) with a mild eloquence hardly inferior to that of Fenelon.

Nevertheless, it is very evident that, without this most anomalous mixture of mental strength and weakness, Penn could never have accomplished any of those important moral and political changes, which have rendered his name so deservedly illustrious. If what appears at a hasty glance to be the incongruous part of his character could have been lopped off, Penn might, like Evelyn, have been a most amiable, religious, and learned country gentleman; he might have founded hospitals, colleges, free-schools and libraries, and very probably written delightful books, and made good speeches in Parliament; but he never would have become the founder of a great state, and one of the most venerated fathers of the civil and religious liberties of a mighty republic; nor would

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a John Perrot, who maintained this doctrine in a book entitled "The Spirit of the Hat;" to which Penn replied in "The Spirit of Alexander, the Coppersmith, lately revived and now justly rebuked." Perrot rejoined, but Penn finally silenced him with "Judas and the Jews combined."—*Clarkson's Life of Penn.* Chap. x.

he have left a name to be held in reverence to the latest ages, as that of a great moral benefactor of the human race.

Penn's fame is now so firmly established, that it is hardly necessary to take notice of the slight aspersions which his cotemporary Bishop Burnet, and the historian Chalmers, have cast upon him.—Burnet was a party man, and he had both a political and a personal dislike to Penn, much like that which Swift and Arbuthnot bore to Burnet himself in his old age. He and Chalmers accuse Penn of ambition, of which, doubtless, he had a share, but it was of the purest kind, and of dissimulation from which no man was ever more free. With all his prejudices, Chalmers allows Penn much merit, and expressly states, that every change in his frame of government (and he made several) was always in favour of freedom.

There were now and then some political discontents in the province, which Penn's enemies exaggerated. These mostly took place during his absence; his personal administration in Pennsylvania was peaceful and prosperous. The happiness and rapid growth of the new colony attest the wisdom of his government. Proud, in his history of Pennsylvania, (Vol. II. p. 111.) observes very justly "As to what few irregularities and deficiencies, that really existed in the government or management of the province unmagnified by his adversaries, they were principally owing to his absence from it; which, it is certain, was very much against his mind, and chiefly occasioned by the necessity of his circumstances, the unsettledness of the government of England, together with the attempts of his enemies, and his great beneficence to his province, with his small and discouraging returns from thence."

"The style is the man," says a great writer. Penn's style is peculiar and characteristic. It is full of thoughts and full of words, yet most transparently clear. Altogether unlike Taylor, and other copious writers of his own and the preceding age, in whose long sentences, crowds of images, ideas, and words are struggling together for utterance, Penn deliberately presents his thoughts to the reader one by one, turns each round and round, displays it in every light, and then passes to the next. His mind always seems to be calm and equable, even when controversy betrays him into the rough polemical language of his days, or, as he calls it, "When he allows himself the freedom of the prophet Elijah against the prophets of Baal." We must even grant that he uses this freedom of retaliation but sparingly, when we consider "what showers," as, he says, "of reproach had fallen often and thick upon him." Penn himself might have thought the appellation no compliment, yet he certainly was a gentleman, in all his deportment and feelings.—"However differing," said he, with much truth, "I am from other men, *circa sacra*, that is, relative to religious matters, and to that world which, respecting men, may be said to begin where this ends, I know no religion which destroys courtesy, civility, and kindness. These, rightly understood, are great indications of true men, if not of good Christians."

In the State Trials, there is a report of one of Penn's trials for illegal preaching; it is perfectly dramatic, and brings the whole scene before the reader in the most vivid manner. You there see Penn displaying all his peculiarities, and many of his virtues. In-

stead of defending his cause as a private case, he makes himself, as he always did, the champion of great principles, and shows himself worthy such a cause. In the course of the trial, he discovers another quality which we should less expect to find in him—a vein of grave, sarcastic, and yet good tempered humour. After showing himself a much more learned constitutional lawyer than any of the court, and having been treated with the utmost indignity and injustice, he put some home questions to the Recorder, on the law, who finally answered with great indignation, "I tell you to be silent; if we should suffer you to ask questions till to-morrow, you would be never the wiser." "That," replied Penn, with unshaken gravity, "is according as the answers are."

On another occasion, after having been repeatedly imprisoned, when he was brought before a magistrate, he began, as usual, to argue against persecution, and to assert his constitutional and natural rights, the magistrate, unable to reply, called for a file of soldiers to take him to prison. "Nay," said Penn, "send thy boy with me, *I know the way to Newgate.*" In his "No Cross no Crown," there is a passage describing the plots of plays and romances with much dry humour; but he indulged this talent very seldom.

His letter of advice to his wife and children, on his leaving England, is one of the finest moral tracts in any language. It should be printed as a companion to Louis XVI.'s instructions for the education of the Dauphin; for almost every thing of any value that can be said on the subject of education, is to be found in these two little tracts.

The life of William Penn has been written accurately and sensibly, but very heavily, by Clarkson. Our countryman, Proud, has done it better, as far as he goes, in his history of Pennsylvania — But the subject is a very rich one, and requires a biographer who should be more sprightly, more eloquent, and more philosophical than either of them.

No. VI. p. 71—79.

In Swift's correspondence (Swift's Works, Vol. XVII. p. 12, New-York edition) there is a letter from Dean Swift to Lord Carteret, then lord lieutenant of Ireland, on the subject of Dr. Berkeley's project; which is worth inserting, both because it contains some curious particulars of the life, character, and plans of Dr. Berkeley, and because it is very characteristic of the best and worst parts of Dr. Swift's own disposition—that is to say, of his readiness to serve his friends, and his inclination to sneer at every thing which did not agree with the rules of his own selfish prudence.

"There is a gentleman of this kingdom just gone for England; it is Dr. George Berkeley, Dean of Derry, the best preferment among us, being worth eleven hundred pounds a year. And because, I believe, you will choose out some very idle minutes to read this letter, perhaps you may not be ill entertained with some account of the man and his errand. He was a fellow of the universi-

ty here, and going to England very young, about thirteen years ago, he became the founder of a sect there, called the *Immaterialists*, by the force of a very curious book upon that subject. Dr. Smalridge and many other eminent persons were his proselytes. I sent him secretary and chaplain to Sicily, with my Lord Peterborough; and upon his lordship's return, Dr. Berkeley spent above seven years in travelling over most parts of Europe, but chiefly through every corner of Italy, Sicily, and other islands. When he came back to Ireland, he found so many friends that he was effectually recommended to the Duke of Grafton, by whom he was lately made Dean of Derry. Your excellency will be frightened when I tell you all this is but an introduction; for I am now to mention his errand. He is an absolute philosopher, with regard to money, titles, and power; and, for three years past, has been struck with a notion of founding a university at Bermudas, by a charter from the crown. He has seduced several of the hopefullest young clergymen and others here, many of them well provided for, and all of them in the finest way of preferment; but in England his conquests are greater, and I doubt will spread very far this winter. He showed me a small tract, which he designs to publish; and there your excellency will see his whole scheme of a life academico-philosophical (I shall make you remember what you were) of a college founded for Indian scholars and missionaries; wherein he most exorbitantly proposes a whole hundred pounds a year for himself, forty pounds for a fellow, and ten for a student. His heart will break if his deanery be not taken from him and left to your excellency's disposal. I discouraged him by the coldness of courts and ministers, who will interpret all this as impossible, and a vision; but nothing will do. And, therefore, I humbly entreat your excellency either to use such persuasions as will keep one of the first men in this kingdom, for virtue and learning, quiet at home; or to assist him by your credit to compass his romantic design; which, however, is very noble and generous, and proper for a great person of your excellent education to encourage."

In the Memoirs of the Court of Augustus, a learned and useful work, though written in an affected and pedantic style, the author, Dr. Blackwall, thus speaks of the wonderful variety and extent of Berkeley's knowledge: "I would with pleasure do justice to the memory of a very great though singular sort of man, Dr. Berkeley, better known as a philosopher and intended founder of a university in the Bermudas than as Bishop of Cloyne, in Ireland. An inclination to carry me out on that expedition as one of the young professors, on his new foundation, having brought us often together, I scarce remember to have conversed with him on that art, liberal or mechanic, of which he knew not more than ordinary practitioners. He travelled through a great part of Sicily on foot, clambered over the mountains, and crept into the caverns to investigate its natural history and discover the causes of its volcanos; and I have known him sit for hours in forgeries and founderies, to inspect their successive operations. I enter not into his peculiarities, either religious or personal, but admire the extensive genius of the man, and think it a loss to the western world, that his noble and

exalted plan of an American university was not carried into execution."

"And coxcombs vanquish Berkeley with a grin," says a cotemporary poet. This epithet is too harsh to be applied to Dr. Reid, and the metaphysicians of his school, but really their ridicule of Berkeley's system is very poor, and unworthy the dignity of philosophical discussion.

Indeed, it would seem that Berkeley's theory does not differ in its foundation from the old Socratic and Platonic philosophy. For in the Phædon, Socrates is represented as declaring it to be his opinion, that he who supposed all things to have been disposed and ordered by a MIND should not pretend to assign any other *cause* of them.

The remark which Berkeley makes upon Plato's writings, may be applied to his own. "His works are the touchstone of a hasty and shallow mind." Berkeley has no common-place ideas, and those who will not take the pains of fathoming the depths of his philosophy, can easily find enough of apparent paradox to excuse their ignorance. His theory of vision was received on its first appearance with a good deal of ridicule; it was fully established, during his own life, by the case of a person who was born blind, and restored to sight by an operation; and all subsequent reasoning has tended to confirm his doctrine.

It is to be observed, to the credit of the Edinburgh Reviewers, that they rarely pass by an opportunity of paying honour to Berkeley's genius. The most singular instance of this remarkable man's talent for evolving great thoughts and grand principles from ordinary subjects, is his "Siris, or a Chain of Philosophical Reflections and Inquiries, concerning the virtues of Tar-water." "This is, indeed," says his ingenious biographer, in the Biographia Britannica, "a chain which, like that of the poet, reaches from earth to heaven, conducting the reader by an almost insensible gradation from the phenomena of tar-water, through the depths of the ancient philosophy, to the sublimest mystery of the Christian religion."—Berkeley thought with Bacon, that truth and goodness are one, differing but as the seal and the print, and in his constant endeavour to keep this connexion in view, he often hazarded what may seem wild theories or too subtile refinements.

His mathematical speculations are also unique in their way. His objections to the doctrine of fluxions are considered, by mathematicians, as having been fully refuted, and, doubtless, this is the fact in a mathematical view of the controversy; but the metaphysical difficulties which he has raised have never been satisfactorily answered, and perhaps cannot be, until we obtain some deeper insight into the principles of knowledge than any that the present systems of intellectual philosophy afford. Be that as it may, certainly there is scarcely any similar instance of ingenious mathematical speculation being applied to important moral ends. The comprehensiveness of Berkeley's understanding, the wide compass of his knowledge, and the power with which he brings it all to bear upon apparently the remotest objects, seem to prove by example the sublime philosophical conjecture of Hooker, "that by circuit of de-

duction, it may be, that all truth, out of any truth, may be concluded." This idea, so bold and original in the age of Hooker, now appears to derive fresh confirmation from every day's experience, and we have recently seen a splendid example of the connexion of all knowledge in the illustration of geology, from the observations of comparative anatomy.

The object of his Minute Philosopher, he states in his preface to be "to follow the Freethinker through his various characters of atheist, libertine, enthusiast, scorner, critic, metaphysician, fatalist, and skeptic," in the course of which he employs against him several new arguments, drawn from his own original speculations. That in particular, taken from the language of the eye, as he terms it, is not only singularly ingenious in itself, but leads the mind to many interesting views of the principles of the imitative arts. This excellent work, like many other standard publications of the last century, had fallen into neglect in this country, when, a few years ago, the late Dr. Dwight, of Connecticut, revived its reputation here, and recommended a new edition of it to the American public, by a short notice of its uncommon merits. This came with peculiar propriety from Dr. Dwight, who was himself an acute metaphysical reasoner, and the President of Yale College, an institution so much indebted to Berkeley. As this notice appeared only in the New-Haven edition of the Minute Philosopher, which is now becoming scarce, no apology is needed for inserting it here.

"The Minute Philosopher is an able defence of divine revelation. The writer is the celebrated Berkeley, Bishop of Cloyne, universally considered as one of the first philosophers, who have appeared in any age or country. For the discussion of this subject he was better qualified than almost any other man by pre-eminent talents, both natural and acquired; particularly by his great learning and singular powers of reasoning. This work is an illustrious proof of these talents, and may be considered as a store-house from which many succeeding writers have drawn their materials and their arguments. The Minute Philosopher consists of a series of dialogues, involving most of the important topics in the debate between Christians and Infidels, the principal arguments by which Christianity is defended, and the principal objections with which it has been opposed. The reasoning is clear, sound, and conclusive The characters of the disputants are well chosen and ably supported, and their conversation is spirited and natural. The work is, of course, highly entertaining as well as convincing. In the character of Euphranor particularly, the writer has given, perhaps, the best example of the Socratic manner of reasoning which can be found. Warton observes, that the club composed of Pope, Swift, Bolingbroke, &c. regarded this work, in spite of the prejudices of some of them, as a masterly performance; not, indeed, when first presented to them, for they did not understand it; but afterwards, when thoroughly explained by its author, who knew more of this and most other moral subjects than all of them united.

"In a word, The Minute Philosopher may be confidently recommended as a performance of the first merit, to all who love to read the best reasonings on the most important subjects."

With respect to the University, it was Berkeley's design, to "train up a competent number of young Indians in succession, to be employed as missionaries among the various tribes of Indians bordering upon our settlements. It appeared to be a matter of very material consequence, that persons should be employed in this service who were acquainted with the languages necessary to be used; and he had also a strong persuasion that such missionaries would be much better received by the savages, than those of European extraction. These Indian lads were to be procured from the different tribes, in the fairest manner, and to be fed, clothed, and instructed at the expense of the institution." Chandler's Life of President Johnson, p. 50.

Having thus provided for the conversion and instruction of the savages, he intended to establish his university, in all other respects, on the most liberal scale, so as to advance every kind of improvement in the colonies. He meant, besides the usual course of academical instruction, from which he would have discarded much of "the pedantry of courts and schools," to have all the useful and ornamental arts taught there.

As there now seems to be an increasing taste for the productions of the fine arts among us, it may be a fact worthy noticing, as it is but little known, that the first regularly instructed painter in North America was Smibert, who had been Berkeley's fellow traveller in Italy, and was brought out by him to act as instructer in drawing and architecture in the intended institution. Smibert was not an artist of the first rank, for the arts were then at a very low ebb in England; but the best portraits which we have of the eminent magistrates and divines of New-England and New-York, who lived between 1725 and 1751, are from his pencil.

Horace Walpole, in his "Anecdotes of Painting, in England," gives some account of him. Walpole was a man of fashion and pleasure, of wit and taste, and withal a most expert hunter of antiquarian small game; but he had no heart for any thing generous or great, and he speaks of Berkeley's plans as might be expected from such a man: though he may be pardoned for slurring over, as he does, his own father's conduct in the business.

"John Smibert, of Edinburgh, was born about 1684, and served his time with a common house painter; but eager to handle a pencil in a more elevated style, he came to London, where, however, for subsistence, he was forced to content himself, at first, with working for coach-painters. It was a little rise to be employed in copying for dealers, and from thence he obtained admittance into the academy. His efforts and ardour at last carried him to Italy, where he spent three years in copying Raphael, Titian, Vandyck, and Reubens, and improved enough to meet with much business at his return. When his industry and abilities had thus surmounted the asperities of his fortune, he was tempted, against the persuasion of his friends, to embark in the uncertain but amusing, scheme of the famous Dean Berkeley, afterwards Bishop of Cloyne, whose benevolent heart was then warmly set on the erection of a universal college of science and arts, for the instruction of heathen children in christian duties and civil knowledge. Smibert, a silent

modest man, who abhorred the finesse of some of his profession, was enchanted with a plan that, he thought, promised him tranquillity and honest subsistence in a healthful elysian climate, and, in spite of remonstrances, engaged with the Dean, whose zeal had ranged the favour of the court on his side. *The King's death dispelled the vision.* Smibert, however, who had set sail, found it convenient, or had resolution enough, to proceed, but settled at Boston, in New-England, where he succeeded to his wish, and married a woman with considerable fortune, whom he left a widow with two children, in 1751."

Walpole adds, " We may conceive how a man, so devoted to his art, must have been animated, when the Dean's enthusiasm and eloquence painted to his imagination a new theatre of prospects, rich, warm, and glowing with scenery which no pencil had yet made cheap and common, by a sameness of thinking and imagination. As our disputes and politics have travelled to America, it is not probable that poetry and painting, too, will revive amidst those extensive tracts as they increase in opulence and empire, and where the stores of nature are so various, so magnificent, and so new." This was written in 1762.

There is at Yale College a large picture, and, from its subject, an interesting one, though not one of Smibert's best, representing Berkeley and some of his family, together with the artist himself, on their first landing in America. I presume that it is the first picture of more than a single figure ever painted in the United States.

No. VII. p. 90.

As Luzac's works are not often to be met with in this country, the passages above referred to are worth extracting. In the dedication of his Oratio de Socrate cive, Lugd. Bat. 1795, to Mr. Adams, he thus speaks of the Constitution of the United States:

" Tale quippe hoc fœdus est, quo omnia, quæ ad conservandas, firmandas, augendas vires communes faciant, ullove modo facere possint, conferre tenentur Socii; quo, si qui officiis ad salutem universorum necessariis fungi detractent, remedia præscripta sunt et parata, ut ad præstandam fidem inviti etiam, revocentur; quo neque omnibus sociis, seu regionum magnitudine, aut divitiis ac numero civium prævaleant, seu tractu, opibus et incolis sint cæteris minores, idem jus est, eadem facultas, eadem vis suffragii, neque tamen una alterave civitas præpotentior in sorores immodice dominari queat: secundum quam denique Pacti legem unus est supremus Fœderatorum Senatus, una Delagotorum Concio, unum Ærarium, una erga externas nationes potentia et voluntas; et singulis tamen sociis salva in rebus suæ civitatis manet summa auctoritas; salva jura et tribunalia, salva legum ferendarum potestas, salva tributa et vectigalia, salva (uno verbo) omnia quæ ad robur, ad firmitatem, ad externum etiam decus Sociatæ reipublicæ, necessario non erant abdicanda. Sic vos ——illa refugistis et feliciter evitastis Federatæ civitatis vitia, quibus patria nostra per ducentos annos misere huc et illuc jactata, quassata tandemque in ul-

timam perniciem acta est; simulque cavistis, ne immoderata et nimia unius reipublicæ moles (quod serius ocyus fieri, per rerum naturam necesse est) in varias ac discordes dilabatur factionum partes, aut in unius, nullis limitibus circumscriptam, deveniat potestatem."

In another passage of the same work, after some words of eulogy on Adams and Jefferson, "quorum dum nomina sepius memoria recolo, gratus memini, a talibus me tantisque viris, dum ad me invisirent, fuisse invitatum *et tantum* non adductum qui liberæ vestræ Reipublicæ adscriberer, vestra omnium intima admissione usurus; quod si ante hoc octennium fecisem——sed quid ego tecum de nostris Batavorum per sedecem annos temporibus atque fatis?"

No. VIII. p. 95.

Du Plessis Mornay was such a character as we may imagine Cato or Helvidius Priscus would have been, if converted to christianity, and graced with the manner and accomplishments of chivalry. The modern French historians (among others Lacretelle, if I recollect rightly) are disposed to sneer at his stern morality and profound theological learning. Voltaire, however, from whom it could hardly have been expected, has been just and liberal in his praise. The finest lines of the Henriade are devoted to the character and exploits of "Le grand Mornay, toujours calme et serein." See Chant. VIII. and again in Chant. IX.

Non moins prudent ami que philosophe austere
Mornay sut l'art discret de reprendre et de plaire
Son exemple intruisait bien mieux que ses discours;
Les solides vertus furent ses seuls amours.
Avide de travaux, insensible aux delices
Il marchait d'un pas ferme au bord des precipices.
Jamais l'air de la cour et son souffle infecté,
N'altera de son cœur l'austere pureté.
Belle Arethuse, ainsi ton onde fortunée
Roule au sein furieux d'Amphitrite etonnée
Un chrystal toujours pur et des flots toujours clair,
Que jamais ne corrompt l'amertume des mers.

Mornay, the sage austere, the prudent friend,
Knew the wise art to blame, yet not offend;
His precepts less than his example mov'd,
And lofty Virtue's charms, alone, he lov'd.
Eager for toil, and deaf to Pleasure's call,
He trod her slippery brink, nor fear'd to fall;
The court's infectious breath he scorn'd to fear;
His soul still breath'd its own pure atmosphere.
Chaste Arethusa, thus thy favour'd wave
Rolls its swift course where Neptune's billows rave,
Yet pure and sweet thy crystal waters glide,
Untainted by the brine of ocean's tide.

I am indebted to a literary friend for this very exact and elegant translation.

Mornay has also received the praises of a cotemporary of as va-

ried talents as his own, Grotius, "than whom," says W. Penn, "these ages have not had a man of more universal knowledge; a light! say the statesmen; a light! cry the churchmen too."

Grotius wrote these lines for Mornay's epitaph.

Nobilitas, animo claro quam sanguine major,
Res heroinum solers noscere, resque Dei,
Consilium prudens, dives facundia linguae,
Hic cum Morneo, contumulata jacent.

Nobility of soul, by Nature giv'n,
Nobler than blood of proud ancestral line;
Skill in the laws of man, and truths of heaven;
Maturest counsel; eloquence divine,
With Mornay here repose:—his tomb their hallow'd shrine.

No. IX. p. 95—98.

It has been sometimes supposed in this country, that the aid given by France to the United States, in the war of the revolution, was wholly a measure of the French ministers, in which the king had no share. Nothing can be more groundless than this opinion. This certainly was neither the opinion of Franklin, nor of Dickinson, as appears from various passages of their political writings. We know that Louis XVI. was not at all a king of show; he was to the best of his ability the efficient head of his government. This is evident enough, from his correspondence, which was published a few years ago by Helen Maria Williams; in which it will be seen, with how much interest and talent he directed all the departments of the state.

It was not intended in the eulogium which has been given to Louis XVI. in the preceding pages, to vindicate every measure of his reign But if we allow that he erred sometimes, much must be pardoned to the difficulty of his situation, and much allowed, when we consider the contradictory and often profligate counsels of those by whom he was surrounded. Even at this day, with all the lights of experience, it is impossible to say, what measures, on his part, would most have conduced to the permanent prosperity and liberty of France. I have spoken only of his motives, and they were always pure, benevolent, and patriotic. "La despotisme," said he, in a private letter, "à ce que je vois, n'est bon a rien," and this, no doubt, was his undissembled belief. It is not at all a rhetorical exaggeration, to say, as I have done, that he fell a voluntary victim, rather than purchase his life at the expense of the blood of his countrymen. There is abundant evidence of this fact in his correspondence. When the Count D'Artois reproached him with not having repressed the popular impulse by force, he answers, in a letter dated 7th September, 1789:

"Je pourais donner le signal du combat, mais quel combat horrible! et quelle victoire plus horrible encore! J'aurais donnéé le signal du carnage, et des milliers de Français auraient été immoles—mais vous direz peut être le peuple a triomphé—il vous a prouvé

par ses exces qu'il osait abuser de la victoire et poignarder son ennemi vaincu.—Ah! ne comtez vous pour rien le calme d'une bonne conscience. J'ai fait mon devoir," &c. "Mon frère, je me suis sacrifié pour mon peuple." And again, in a note to the Comte E'Estaing, who commanded the body guards and Swiss, and who had urged the king to immediate recourse to arms. "Me defendre —il faudrait verser le sang des Français, mon cœur ne peut se familiariser avec cette affreuse idée. Si je succombe, du moins je n'aurai nul reproche a me faire!" And again, in 1791, to M. De Bouillè, a confidential friend.---"Je ne murmure point contre la providence Je sais que la succés dependoit de moi; mais il faut ayoir une ame atroce pour verser le sang de mes sujets—pour opposer une résistance et amener la guerre civile en France. Toutes ces idées ont déchiré mon cœur, toutes mes belles resolutions se sont evanouiés." These sentiments pervade all his correspondence, but they are no where more strongly expressed, than in a letter written while he was still on the throne, to the Prince of Condé, who commanded the emigrant army: with the eloquence of the heart, and a prophetic spirit, he says: "Les insenses, ils veulent la guerre? Ah! si jamais le signal était donné, elle serait longue et cruelle. Comme elle n'aurait d'autre objet que la vengeance et la haine, elle deviendroit barbare. O Dieu! preservez la France de ce funeste fleau! que ces hurlemens homicides ne soient point entendues! S'il me faut descendee du trône, *monter sur l'echafaud* ou Charles I. fut immolé, abandonner ce que j'ai de plus cher au monde, me voila prêt, mais *point de guerre, point de guerre.* Mon cousin, vous qui desirez unir la gloire au devoir—vous qui les emigrés regardent comme leur père et leur chef, et qui j'estime moi, comme un frère loyal et magnanime, opposez vous, je vous en conjure, aux projets insenses des Français réunis près de vous: faites leur bien connaitre tout le danger, opposez ma volonte. mes avis, mes prièrres même." The whole of this correspondence, in which *patet veluti discriptâ tabellâ vita* REGIS, abounds in so many noble, and such touching passages, that I can scarce refrain from more numerous extracts. I shall add but one; it was his last letter to Monsieur (his brother, now Louis XVIII.) when he was brought a prisoner to the hall of the National Assembly, after the massacre at the Thuilleries, on the 11th of August, 1792. "Le sang et le feu ont tour-a-tour signalé l'afreuse jour d'hier, mon chèr frère. Contraint de quitter mon palais avec ma famille, de chercher un asile au millieu des mes plus cruels ennemis, c'est tous leurs yeux même, que je vous trace, peut-être pour la dernier fois. mon affreuse position. François premier, dans une circonstance perilleuse, ecrivoit, 'tout est perdu, hors l'honneur.' Moi, je n'ai plus d'autre espoir que dans la justice de Dieu, dans la pureté des intentions bienfaisantes que je n'ai jamais cesse d'avoir pour les Français. Si je succombe, comme tout porte a le croire, souvenez vous d'imiter Henri IV. pendant le siege de Paris, et Louis XII. losqu'il monta sur le trone!"

I have said, in the foregoing pages, "that there is no reason why American republicans should revoke their praises of Louis XVI." This observation was made, not because there is any such

disposition in the great body of intelligent Americans; for, on the contrary, as far as my own observation goes, the personal reputation of Louis is very dear to the people of this country; but because there have been a few instances, and disgraceful ones as they appear to me, of this sacrifice of gratitude to transitory party purposes. One of the most conspicuous of these is in the Columbiad of the late Mr. Barlow. That work was originally published at the close of the war of the revolution, as the Vision of Columbus, and was afterwards expanded by the author into the Columbiad, and published under that name in 1808. The Vision of Columbus was dedicated, by permission, to Louis XVI.

In the dedication, Mr. Barlow, among other eulogy, said, "mankind who survey your conduct, and posterity for whom you act, will see that the debt of gratitude is paid." And in the beginning of the sixth book, there are many spirited lines in honour of "the pride of monarchs," "the rising sun of universal fame," &c. In the Columbiad all this has been suppressed, and in place of it appear some frigid lines, in which Louis is represented as cheated into the support of our Independence, and aping the language of virtue—"By honest guile the royal ear they bend," &c.—"He speaks the borrowed language of the brave," &c.

This is indeed forgetting the independence of literary talent, and making history what old Chaucer calls it, "in very dele—a rock of ice and not of steel."

These pages have been consecrated to the praise of virtue, and it is with reluctance that I have admitted this censure of a man whose reputation, either literary or political, I feel no disposition to undervalue. Let me, however, place in contrast to his conduct towards Louis XVI. that of the venerable and eloquent John Dickinson. It is well known that that true patriot, accomplished scholar, and excellent man, was a warm admirer and defender of the principles of the French revolution, in its first stages.

His letters of Fabius, published in 1797, were in the United States what Mackintosh's Vindiciæ Gallicæ was in England, not equal indeed in magnificence of language, but little inferior in elegance and in ability, or in exuberance of thought and knowledge. In the course of this work, which is devoted to the panegyric, the defence, or the apology of the French republic, this tolerant and benevolent politician digresses to rebuke the injustice of some of his own party friends towards the "unhappy Louis." The concluding passage of this defence is very eloquent, and the allusion in the closing quotation to the lilies of the Bourbon escutcheon, is singularly felicitous.

"It was his doom to live, not only in an age of revolutions in government, but also of revolutions in morality.

"Scarcely was his head laid low in the dust, probably in consequence of our liberty being established; scarcely were those lips closed in eternal silence, which never spoke to us but in the language of benediction; scarcely was that existence, to which, after virtue and piety,* fair fame was dearest, dissolved, and disa-

* See *Malesherbes'* narrative.

bled to vindicate an aspersed reputation, than——a severe scrutiny was made into his unsceptred merits, and it was discovered ——by *Americans*——yes——by *Americans*——that *he himself* was not entitled to *our* gratitude or friendship, but was a selfish, unprincipled villain.

" Much injured Louis !

" The charges of thy accusers *undesignedly* erect a lasting monument to thy glory. They have proved thee guilty of sincerely loving thy people. Thy feet were led into unbeaten, unexplored tracts of policy, and thou hadst not been accustomed to its intricate mazes. Impelled by thy benevolence towards us, a young, innocent, oppressed, and inexperienced people, struggling in blood, and hardly able to struggle, though the prize was no less than PEACE, LIBERTY, and SAFETY, against the then most formidable nation in the world, and by thy tender affection for *France*, recently weakened by deep wounds received from the same enemy, thou formedst the kind and generous resolution to help us at our utmost need, though the execution of thy noble design would exhibit to mankind the surprising spectacle of——a *republic* fostered by a *monarchy* ——and in a portion of the globe far remote from thy kingdom ——and in the neighbourhood of thy most valuable foreign dominions——and thou didst help us " *effectually*" till every man among us " from one end of our land to the other, and from one side of our land to the other," dwelt confidently, with his family, " under his vine and under his fruit tree," and allied with thee and thy people, " there was none to make us afraid."

" But, in directing the course of thy exertions through an unknown wilderness, dangers might start up on every side. The accusers have convicted thee, of being more anxious for the welfare of thy people, than for that of strangers——yet——heaven and earth are witnesses that to thee, to thee, under " *a gracious Providence which raised thee up to be our friend*,"* " *We, the people of the United States*," stand indebted for the best of blessings—— *Liberty.*

" Manibus date *Lilia* plenis:
" Purpureos ut spargam flores, animamque" *Amici*
" His saltem accumulem donis, et fungar inani
" Munere————————

Bring LILIES—LILIES in whole handfuls bring,
With all the purple fragrance of the spring;
These unavailing gifts let me bestow:
'Tis all I can—on thy dear shade below.————"

To those who are but superficially acquainted with the history of the French revolution, it appears only as a story of blood and crime. But among ten thousand atrocities which make the heart ache with the sense of the depravity of our nature, there may be found many examples of heroic excellence, as well as of the gentler virtues. Though all the crimes which marked the black corruption of the Roman empire, were renewed in modern France,

* Words of Congress.

still the French patriot may proudly add, in the words of Tacitus, and with a nobler application, " Non tamen adeo virtutum sterilis patria ut non et bona exempla prodiderit. Comitatæ profugos liberos matres : secutæ maritos in exsilia conjuges : contumax etiam adversus tormenta servorum fides : supremæ clarorum virorum necessitates : ipsa necessitas fortiter tolerata : et laudatis antiquorum mortibus pares exitus." What example is there in antiquity of heroic self devotion and constant friendship surpassing that of Malesherbes ! He has claims upon our admiration as an upright judge, a philosophical lawyer, a man of letters, and a true friend of civil and religious freedom ; but all this is forgotten in the strong interest which he inspires when we see him retaining, in his eightieth year, all the generous affections of youth, and volunteering his services, at the risk of his life, in the defence of his friend. " I was twice admitted," said he, in his letter to the Convention, requesting permission to appear as counsel for Louis XVI. " into the councils of him who was then my master, at a time when that function was coveted by every one, and I owe him the same duties now, when it has become a service which many consider dangerous." How eloquent is the heartfelt expression of Louis's gratitude ! " Je n'ai point des termes, mon cher Malesherbes, pour vous exprimer ma sensibilité pour votre sublime devouement. Votre main octogénaire s'est étendue vers moi pour me rapousser de l'échafaud ; et si j'avais encore mon trône, je devrais le partager avec vous, pour me rendre digne de la moitie que m'en resterait. Mais Je n'ai que des chaines, que vous rendez plus legeres en les soulevant. Je ne me fais pas illusion sur mon sort."

A

BIOGRAPHICAL MEMOIR

OF

HUGH WILLIAMSON, M. D. LL. D.

MEMBER OF THE NEW-YORK HISTORICAL SOCIETY; CORRESPONDING SECRETARY OF THE LITERARY AND PHILOSOPHICAL SOCIETY OF NEW-YORK; MEMEBER OF THE AMERICAN PHILOSOPHICAL SOCIETY; OF THE HOLLAND SOCIETY OF SCIENCES; OF THE SOCIETY OF ARTS AND SCIENCES OF UTRECHT, &c. &c.

DELIVERED ON THE FIRST OF NOVEMBER, 1819,

AT THE REQUEST OF THE

NEW-YORK HISTORICAL SOCIETY.

BY DAVID HOSACK, M. D. LL. D.

Professor of the Institutes and Practice of Medicine in the University of New-York; Fellow of the Royal Societies of London and Edinburgh; Member of the Philosophical and Historical Societies of New-York, Philadelphia, Boston, &c.

NEW-YORK HISTORICAL SOCIETY,

July 13th, 1819.

Resolved, That a Biographical Discourse, commemorative of the political character, and literary services, of Doctor Hugh Williamson, late a member of this Society, deceased, be delivered before the Society, and that Doctor David Hosack be requested to perform the duty.

JOHN PINTARD, *Recording Secretary.*

NEW-YORK HISTORICAL SOCIETY,

November 9th, 1819.

Resolved, That the thanks of this Society be presented to Doctor David Hosack, for his Biographical Memoir of our late respected member, Hugh Williamson, LL. D., delivered before the Society on the first instant, and that he be respectfully requested to furnish a copy for publication.

Resolved, That *Colonel John Trumbull*, *Gulian C. Verplanck, Esq.*, and the *Rev. F. C. Schaeffer*, be a committee to wait on Doctor Hosack with the preceding resolution.

JOHN PINTARD, *Recording Secretary.*

NOTICE.

It is proper for me in this place to acknowledge, that, in preparing the following Discourse, in addition to those resources which an uninterrupted friendship of twenty-five years with the subject of this memoir, has furnished me, I have received many of the anecdotes and other circumstances relative to the earlier years and education of Dr. Williamson from his family and friends.

To his brother, Captain John Williamson, of Charleston, South Carolina—to his nephew, Mr. John Nevin, of Shippensburgh, Pennsylvania—to the late President of the United States, Thomas Jefferson—to the Right Reverend Bishop White—to James Read, Esq. of Philadelphia,—and to Mrs. Hall, daughter of the late Dr. Ewing, Provost of the University of Pennsylvania, I am particularly indebted.

For several facts relative to the means of classical education afforded by the middle colonies anterior to the American revolution, I also acknowledge my obligations to "the Memoirs of the Life of the late Dr. Rittenhouse, by William Barton, Esq.;" and to that learned and excellent history of literature and science in this country, entitled, A Brief Retrospect of the 18th Century, by the Rev. Samuel Miller, D. D. now Professor of Ecclesiastical History and Church Government in the Theological Seminary at Princeton in New-Jersey.

D. H.

New-York, January 1, 1820.

BIOGRAPHICAL MEMOIR.

Gentlemen,

Members of the Historical Society,

We are assembled at this time to contemplate the character of our late distinguished member, Dr. Hugh Williamson, and to recount the services rendered to his country and to literature by that eminent philosopher and statesman. Upon no occasion could the resolution you have adopted, to commemorate the virtues and the wisdom of the more eminent and useful members of our institution, have been more appropriate, than that which you have selected; for if a life, devoted to patriotism—to professional services—to the cause of science—and to the constant performance of moral and religious duty,—deserve our notice, and be worthy of a public record, then it is meet that the name of Hugh Williamson be placed upon the column you propose to erect to the memory of the great and the good.

To you, young Gentlemen of the College of Physicians and Surgeons,* who are at this time convened for the prosecution of your medical studies, the subject of the discourse, now to be delivered, is full of interest and instruction. I have, accordingly, with the permission of the society, at whose request this exercise has been prepared, made choice of this day for the performance of the duty assigned me, that I may have an opportunity of exhibiting to you the portrait of virtue, science,

* This discourse was delivered to the Historical Society, in the Hall of the College of Physicians and Surgeons, at the opening of the winter session, upon which occasion the students of medicine were also assembled.

and religion, blended, as they ever ought to be, in the character of an accomplished physician.

Dr. Williamson was a native of the state of Pennsylvania; he was born on the 5th day of December, 1735, in West Nottingham township, near Octarara river, which divides Chester from Lancaster county. His parents were natives of Ireland, but their earlier ancestors, it is believed, came originally from Scotland.

His father, John Williamson, was an industrious tradesman, who had pursued his business, that of a clothier, in the city of Dublin. He came to America, and settled in Chester county, about the year 1730.

The mother of Dr. Williamson, Mary Davison, was a native of Derry; with her father, George Davison, she came to this country, when a child about three years of age: on their way to America they were captured and plundered on the coast, by Theach, the noted pirate Blackbeard; upon being released they arrived in Philadelphia. She died about fifteen years since, having attained her 90th year. The parents of Dr. Williamson were married in the year 1731, shortly after his father's arrival in this country, and ten children, viz. six sons and four daughters, were the fruits of that connexion. Hugh was their eldest son.

His parents were both distinguished for their undeviating integrity—their habits of industry and frugality—their great moral worth, and attention to the duties of religion.

Of this parentage, Dr. Williamson was justly proud, believing with the Roman poet,

> "————nec census, nec clarum nomen avorum,
> Sed probitas magnos, ingeniumque facit."
>
> *Ovid. Epist.—Pont.* I. 9. *v.* 39.

His father, observing that Hugh was of a slender, delicate constitution, and that he was not likely to attain to that vigour that would enable him to support himself by manual labour, resolved to give him a liberal education. After having received the common preparatory instruction of a country school, near his father's house, he was sent at an early age to learn the languages at an

academy established at New-London Cross Roads, under the direction of that very eminent scholar, the Rev. Francis Alison, justly entitled, from his talents, learning, and discipline, the *Busby* of the western hemisphere.

At that period, I may remark, the means of instruction in the middle colonies were confined to grammar schools or academies; for the University of Cambridge, Massachusetts,* the college of William and Mary, in Virginia,† and of Yale College, in Connecticut,‡ were the only regularly organized establishments at that time in this country; for neither in New-Jersey,§ Pennsylvania,‖ New-York,** nor Maryland, had any public measures been taken for the promotion of literature: what was done was exclusively the result of individual exertion.

But although the colonies just mentioned did not enjoy the benefits of regularly organized *collegiate* institutions, yet they possessed in their academies and grammar schools, the most ample means of instruction in classical literature, and in most of the sciences constituting the usual education preparatory to the study of the learned professions.

The academies established on the Neshaminy, in the neighbourhood of Philadelphia, by the Rev. Mr. William Tennent and Mr. Roan; the grammar school commenced by Mr. Grew, Mr. Annan, and Mr. Stevenson, in the city of Philadelphia; the still more celebrated institution of the Rev. Dr. Alison, at New-London Cross Roads, Chester County; that of Fog's Manor, established by the Rev. Samuel Blair; and that of West Nottingham, by the Rev. Dr. Samuel Finley, who was afterwards made President of the College of New-Jersey, have been the means of educating some of the most distinguished men that have adorned our country; and in connexion with the elder collegiate institutions, of

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* Established in 1638.
† Established in 1690.
‡ Established in 1701.
§ College of New-Jersey, was established in 1746.
‖ College of Philadelphia, in 1753.
** King's, now Columbia, College, in 1754.

diffusing through our land a taste for letters, that is still assiduously cultivated, and the impulse of which must long be continued.

The names of the venerable Charles Thompson, the late Secretary of the American Congress; the Rev. Dr. John Ewing, late Provost of the University of Pennsylvania; Thomas M'Kean, the late Governor of that State; Dr. Benjamin Rush, one of the most distinguished physicians of his day; the Rev. Dr. John Rodgers; the Rev. Dr. Alexander M'Whorter; and the Tennents, Gilbert, John, and William, among the most able and learned divines of our country; with many other eminently useful men, who received their elementary education at the seminaries I have enumerated, compose a constellation which will ever reflect lustre upon the American character, and honour upon the teachers from whom they received their first lessons in literature; and, I may add, in virtue: for it was no less an object of their instructers, "to mend the heart," than to improve the understanding.

Mr. Williamson enjoyed the advantages of being educated in one of the most celebrated of these institutions, then under the care of Dr. Alison, which academy, upon the removal of that gentleman to the station of Vice Provost and Professor of Moral Philosophy, in the College of Philadelphia, was afterwards transferred to Newark, in the State of Delaware, under the direction of his pupil, the Rev. Alexander M'Dowell.

In the school of Dr. Alison, and of his successor Mr. M'Dowell, Mr. Williamson remained until he had made great proficiency in all those branches of learning that were considered necessary for his admission into college.

In the prosecution of his studies, while at school, he distinguished himself by his diligence, his love of order, and his correct, moral, and religious deportment; for, even at that early age, he had imbibed from his parents and instructers, a due sense of that "intimate connexion which subsists between letters and morality, between sensibility and taste, between an improved mind and a

virtuous heart."* Accordingly, under the impulse of these first impressions, through life, he

> "————————all his study bent
> To worship God aright, and know his works."

Thus prepared under the care of his eminent teachers, he retired from the seminary of Dr. Alison, and, at his father's house, applied himself to the study of Euclid's Elements, of which, in a short time, he became master. I may here observe, that he discovered very early in life, a strong attachment to mathematical reasoning, and to that order and precision, which the science of mathematics impresses upon the mind: but his absolute want of a poetical talent was not less perceptible.

The father now proposed to send his son to Europe to finish his education that had been so successfully begun; but as a charter had been obtained for the academy in Philadelphia, about the time he was to have sailed, it was concluded that he should immediately proceed to that city. Accordingly, he entered in the first class in the College of Philadelphia, where he remained four years; and at the first commencement held in that college, on the 17th day of May, 1757, he received the degree of Bachelor of Arts. It is an evidence of the talents, the industry, and of the success, with which Mr. Williamson prosecuted his collegiate studies, and of the high estimation in which he was held by the professors and trustees of the university, that during the time he passed at college, he was successively employed as a teacher, both in the Latin and English schools, connected with that institution. A little anterior to this period, his father and family had removed to Shippensburgh, Cumberland County. His father died in the same year that his son received his first degree.

Hugh was appointed his sole executor, and, upon the event of his father's death, took up his residence with his mother at Shippensburgh, where he remained about

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* Johnson.

two years, during which period he, in a great degree, devoted himself to the settlement of his father's estate, personally collecting the debts that were due to it, and which were very much scattered. By the fatigue of body, in connexion with the distress of mind he experienced upon the death of his father, his constitution received a shock which induced an alarming hypochondriasis, that was only relieved by travelling, and a release from the anxiety and care which his attention to business had imposed.

As has already been intimated, Mr. Williamson's mind was early impressed with a sense of religion. It is a remark of an excellent writer, who duly appreciates this union of the intellectual faculties with purity of moral character and conduct in life, "That knowledge only is of value which exalts the virtue, multiplies the comforts, sooths the sorrow, and improves the general felicity of human intercourse."* With Mr. Williamson, this sentiment was not a mere speculative opinion; it entered into the daily practice and pursuits of his life, and that love of truth and virtue which philosophy had taught him as a dignified sentiment, christianity consecrated as a religious duty. With this frame of mind, it was his original intention, and he considered it his duty, to prepare himself for the ministry, at the same time believing that occupation to be the most honourable and useful in which he could be engaged, and for which his piety and education had peculiarly qualified him. "It was remarkable," says a communication which I have received from his family, "that before he entered upon the study of divinity, while yet quite a young man, he visited and prayed with the sick in the neighbourhood, and it was pleasing to the pious of those days to remark the fervency and devotion with which this young layman approached the throne of grace."

During the period of his residence with his mother, then a widow, he devoted all his time not occupied by the business of his father's estate, to the study of divinity, frequently visiting Dr. Samuel Finley, an eminent divine, already mentioned, who at that time preach-

* Wakefield.

ed at East Nottingham township, Chester county, and who then directed his pursuits. In 1759, Mr. Williamson went to Connecticut, where he still pursued his theological studies, and was licensed to preach the gospel. After his return from Connecticut, he was also admitted a member of the presbytery of Philadelphia. He preached but a short time, not exceeding two years, and then his preaching must have been only occasional; he never was ordained, or took charge of a congregation, for his health did not permit him to perform the stated duties of a pastor. The infirm state of his health in early life made it very questionable whether his lungs would bear the exertions of public speaking: these apprehensions were now verified, for he became much troubled with pains and strictures of his chest, which led him to abandon the profession that was the first object of his choice, and to which he was, from a sense of duty, attached. The memorable controversy, too, which took place about that period in the Presbyterian church, between the adherents of Mr. Whitefield, and those who considered themselves as the old and more orthodox party,* also proved to him a source of great disgust, and, I am informed, had great influence in withdrawing him from his theological pursuits: he accordingly left the pulpit, and entered upon the study of medicine. To this science, it appears, he also had already manifested some predilection: his nephew remarks upon this subject, "my mother can give but little information respecting the doctor's study of medicine; she however believes, that this science must have been a favourite study with him long before he had determined to attend to it regularly, as she found him, when studying divinity, giving directions respecting inoculation for the small-pox."

In the year 1760, he received the degree of Master of Arts, in the College of Philadelphia, and was immediately after appointed the professor of mathematics in that institution.† He accepted the professorship, regarding it a most honourable appointment, but without any

* See Life of the Rev. Dr. Rodgers, by Dr. Miller.
† Works of William Smith, D. D.

intention of neglecting his medical studies. It had been observed of him very early in life, that he had a strong natural fondness for mathematical investigation, and it was remarked, that while he was a student in college, all his public exercises and disputations partook so much of the mathematical form of reasoning, that he was considered by his fellow students as an adroit and obstinate antagonist. At the same time, as already hinted, it was equally observable that he had no talent for versification. I have often heard him remark, that the first part of a Spanish proverb implied a severe censure upon him, viz. that "he is a fool who *cannot* make one verse; he is a fool who *will* make two."

On the 8th of October, 1763, as I am informed by my venerable friend, Bishop White, the President of the Board of Trustees of the University of Pennsylvania, Mr. Williamson gave notice of his intended resignation of his professorship; and in 1764, he left his native country for Europe, for the purpose of prosecuting his medical studies at the University of Edinburgh.

He remained in that city, enjoying the advantages of instruction afforded by the lectures of the elder Monro, Whytte, Cullen, Home, Alston, and Dr. John Gregory, the author of the Legacy, and father of the present distinguished professor of the practice of physic in that celebrated seat of learning. During his stay in Edinburgh, Mr. Williamson was occasionally confined to his chamber or bed, by intermitting fevers and pains in the breast, so much so that he had nearly resolved to make a visit to Lisbon, or some other warm climate; but recovering from these complaints at the close of the lectures, he left Edinburgh, made a tour through the northern parts of Scotland, after which he proceeded to London, where he remained twelve months, diligently pursuing his studies, and, as at Edinburgh, by his zeal attracting the notice and kind attentions of his instructers. From London he crossed over to Holland, and proceeded to Utrecht, where he completed his medical education. Having passed the usual examination, in which he displayed his classical and medical attainments, and having submitted to the professors of that University a Latin thesis, he obtained the degree of

Doctor of Medicine. He afterwards amused himself with a tour on the continent, from which he returned to his native country in a state of health considerably improved.

After his return, Dr. Williamson practised medicine in Philadelphia for some years with great success, as it respected the health of his patients, but with painful effects as it regarded his own. By the occasional loss of sleep, to which he was necessarily exposed, his constitution soon became considerably impaired, and so acute was his sensibility to the sufferings of the sick, that he seldom had a patient, in imminent danger, that he did not experience a febrile excitement of the system. He therefore resolved to abandon medicine, and to attempt the relief of his constitution by mercantile pursuits. Fortunately for the interests of science, and, I may add, for our country, this resolution was not carried into effect until some years after this period. In the meantime, Dr. Williamson remained in the city of Philadelphia, devoted to his favourite literary and philosophical investigations.

Shortly after this time, the attention of the philosophers, both of Europe and America, was directed to an event which was about to take place, of great importance to astronomical science and to navigation: I refer to the transit of Venus over the sun's disk, which occurred on the third day of June, 1769; "a phenomenon which had never been seen but twice by any inhabitant of our earth; which would never be seen again by any person then living; and on which depended very important astronomical consequences."* This subject had already engaged the attention of the astronomers of the other hemisphere, and measures, preparatory to that event, had been adopted; for in the latter part of the year 1767, it had been resolved by the Royal Society of London, to send persons to the South Seas, as a part of the world peculiarly favourable for observing the expected transit.

This phenomenon, which presented to the American mathematicians and astronomers an ample occasion for

* Rush's Eulogium on Dr. Rittenhouse.

the display of their abilities in these departments of science, as might be expected, attracted great attention in the colonies.

At a meeting of the American Philosophical Society, held on the 7th day of January, 1769, Dr. Hugh Williamson was appointed a member of a committee, consisting of Mr. David Rittenhouse, the Rev. Dr. Ewing, Dr. Smith, provost of the college, Mr. Charles Thompson, and some others, eminently skilled in mathematics and astronomy, to observe that *rare phenomenon*, as it was aptly styled by Dr. Smith.

The contacts of the limbs of Venus and the sun, as observed and drawn up by Dr. Williamson, together with the determination of the sun's parallax and distance, as derived from those observations, are communicated to the world in the first volume of the Transactions of the Philosophical Society of Philadelphia.

The observations published on that memorable occasion, by the Rev. Dr. Ewing, Mr. David Rittenhouse, the Rev. Dr. Smith, by Professor Winthrop, of Massachusetts, as well as those by Dr. Williamson, and other American astronomers, were considered by the philosophers of Europe, as highly creditable to their authors, and of great importance to the cause of science. By the astronomer royal, the Rev. Mr. Nevil Maskelyne, they were referred to with peculiar notice and approbation :

" I thank you," says that eminent philosopher to his correspondent, the Hon. Thomas Penn, " for the account of the Pennsylvania observations of the transit, which seem *excellent* and *complete*, and do honour to the gentlemen who made them, and those who promoted the undertaking."

Soon after this event, the Philosophical Society of Philadelphia, sensible of the correctness and ability with which the labours referred to had been conducted, and desirous of obtaining additional means of settling the longitude of Philadelphia, Norriton, and other places which had been the sites of their former observations of the transit of Venus, appointed the same committee, of which Dr. Williamson had been an active member, to observe the transit of Mercury, which was to take

place on the 9th day of November of the same year. The observations of Dr. Williamson, with the elements of his calculation of that transit, are also contained in the same important volume of the American Transactions.

In the month of September, of the same momentous year, a considerable degree of public alarm was excited by the appearance of a remarkable comet. Its tail was of vast extent, subtending an arch of ten or fifteen degrees. Dr. Williamson, who had reflected much upon subjects of this nature, could not allow himself to believe that comets, more than other heavenly bodies, were destructive masses of fire. Having considered the subject with great attention, he presented to the American Philosophical Society a theory which seems to have been perfectly new, and which he ever claimed as his own.

He alleged that the lucid tail of that comet, which must have been many millions of miles in length, was nothing else than the atmosphere of the comet thrown behind the nucleus as it approached the sun, and illuminated by the refracted rays of the sun's light. I have often heard him remark, that from night to night, with his telescope, he traced a spot immediately behind the nucleus in which there was not any observable light. Hence he inferred, that comets, instead of being infinitely hotter than melted iron, were, in all probability, like Jupiter and Saturn, habitable planets, and in their greatest and least distance from the sun might afford a comfortable residence for people, not materially differing from the inhabitants of this earth in the capacity of bearing cold or heat.

This idea of comets gives a prodigious extent to our ideas of the rational beings with which this solar system may be inhabited. It was not without considerable difficulty that the society could be prevailed upon to publish a theory of comets, so different from, and perfectly opposed to, the received opinions on that subject. But the doctor, after the most rigid examination of his own views, and of the objections that were adduced, persisted in his determination to give them publicity, and it is well known that he always considered his the-

ory of comets the most fortunate of all his conjectures on philosophical subjects. The paper he at that time published has lately been rewritten, and in an improved form has been again communicated to the public in the first volume of the Transactions of the Literary and Philosophical Society of New-York. He concludes that interesting communication with the following exalted view of his subject:

"Having ventured an opinion that every planet and every comet in our system is inhabited, we have only taken a very imperfect view of the astonishing works of the divine architect. There are about three thousand fixed stars visible by the naked eye. Every one of those stars is doubtless a sun, and each of those suns affords light and heat to another system of worlds. Let us only suppose that each of those suns illuminates as many orbs as belong to our system. We shall state the number at two hundred, though it is believed that twice this number of comets, beside the planets, have already been discovered. This would give three hundred thousand worlds. But three thousand is a small number when compared with the whole number of stars that have been discovered. The relative places of fifty thousand stars have been determined by the help of telescopes. Fifty thousand solar systems, each containing at least one hundred worlds! Five millions of worlds all inhabited by rational beings! How do we seem to dwindle into littleness! How small, how few, are the ephemerons of this little globe, when compared with the countless myriads who inhabit five millions of worlds! All those worlds, and every one of their inhabitants, are under the constant care of the Divine Being. Not one of them is neglected. 'Great and marvellous are his works: how terrible his power!'"

In the following year, (1770,) Dr. Williamson prepared and published, through the same channel of communication,* some observations upon the change of climate that had been remarked to take place more particularly in the middle colonies of North America.

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* Transactions of the American Philosophical Society, &c. vol. I. p. 336. 2d edition.

The doctor had ascertained that within the last forty or fifty years, the winters had not been so intensely cold, nor the summers so disagreeably warm, as they had been in the earlier settlement of the country; and that during the same period, a very observable change had also taken place in the character of the prevailing diseases; that the fevers which had, for many years, maintained a fatal reign through many parts of this country, were then evidently on the decline; and that inflammatory fevers, with the several diseases of cold seasons, had been observed to remit their violence as the winters had become more temperate. To account for those facts was the object of that communication. The view taken of this subject—of the face and situation of the country—of the influence of prevailing winds—of the effects of clearing, and the subsequent cultivation of the soil, and the illustrations that were adduced from the history of the settlement of other parts of the world, and of their progress in agriculture and civilization, gave an interest to that paper that caused it to be extensively read and circulated. In Europe it received the most respectful notice, and greatly extended the name and fame of its author.

In a letter which I have lately received from Mr. Jefferson, whose accuracy of observation is only equalled by his extensive researches in literature and science, noticing that production of Dr. Williamson, he observes, "the memoir in the Philosophical Transactions, on the change of climate in America, I have ever considered as a remarkably ingenious, sound, and satisfactory piece of philosophy." The publication of this interesting paper, with those which had preceded it, procured for Dr. Williamson, not only the notice of the various literary institutions of his native country, into which he was shortly after introduced as an honorary member, but they obtained for him abroad the most flattering distinctions. The Holland Society of Sciences—the Society of Arts and Sciences of Utrecht—conferred upon him, in the most honourable manner, a membership in those distinguished institutions; and about the same period he received from a foreign university, I believe

from Leyden, as the further reward of his literary labours, the degree of Doctor of Laws.

I shall again advert to the subject of the last mentioned publication, when I may have occasion to notice the more elaborate observations of Dr. Williamson on climate, one of the works of his later years.

New scenes now opened upon his view. From some letters addressed by Dr. Williamson to his friend, the late Rev. Dr. Ewing, now in the possession of his family, it appears that in 1772, the Doctor made a voyage to the West India islands, for the purpose of collecting subscriptions for the academy of Newark, in the state of Delaware, of which institution he and Dr. Ewing were both trustees. "His stay in the islands, (says the sensible writer* of the communication with which I have been favoured,) seems to have been protracted by severe bilious fevers; from the effects of which, he almost despaired of recovering his former state of health: his zeal, however, in the cause of literature, was not abated, and finally he procured a handsome subscription. On his way home, he passed a short time in Charleston, where he received some liberal fees for medical advice."

Exceedingly anxious for the prosperity of the academy, while he was yet in the islands, he planned a tour through Great Britain for the benefit of that institution; his project was communicated to the trustees, and received their approbation: accordingly, in the autumn of 1773, Dr. Williamson, in conjunction with Dr. Ewing, afterwards Provost of the University of Pennsylvania, was appointed to make a tour through England, Scotland, and Ireland, to solicit further benefactions for the same academy of Newark.

Thus honourably associated, and the reputation they had acquired from their late astronomical observations having preceded them, they were received with great attention by the literati, and other men of influence in Great Britain: a circumstance in itself, highly favourable to the object of their mission. Their success, however, was but indifferent, owing to the irritation of the

* Mrs. Hall, of Philadelphia, daughter of the late Dr. Ewing.

public mind against the colonies, which about that time was already considerable; yet, their characters as men of learning, procured them much personal attention, and some money.

The constant hope of accommodation with the colonies, and the example of the King, from whom they received a liberal donation, notwithstanding his great displeasure towards his American subjects, encouraged them to persevere in the business of their mission until the autumn of 1775. Hostilities having then commenced, Dr. Ewing returned to America, leaving Dr. Williamson in London, who determined to remain, and to make some further efforts for the establishment of his favourite academy.—But I must return to some circumstances of importance which here claim our notice.

The vessel in which Dr. Williamson had engaged passage for Europe, lay in the harbour of Boston, to which place he had proceeded, and was waiting for her sailing at the very time at which that remarkable circumstance took place, the destruction of the tea of the East India Company.* Upon Dr. Williamson's arrival in England, he was the first to report to the British Government that occurrence; and, after a private interview with Lord Dartmouth, was examined on the subject before his Majesty's Privy Council: that examination took place on the 19th of February, 1774. On that occasion, Dr. Williamson ventured to declare, that, if the coercive measures of Parliament were persisted in, nothing less than a civil war would be the re-

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* According to the regulations of the Custom-House at Boston, every vessel, not entered within twenty days after her arrival, was liable to seizure by the government vessels then in the harbour. As respected the Tea ships, the inhabitants of Boston waited nineteen days; during which period they daily solicited of the governor a permit, that those vessels with their tea might return to the ports whence they had come. This request was peremptorily refused. On the evening of the *nineteenth* day, between the hours of *seven* and *twelve* o'clock, the time at which it would have been seizable by government, the tea was destroyed by a party of Americans. For many particulars relative to this affair, I am indebted to a gentleman, now in my hearing, (General Ebenezer Stevens,) who was one of those concerned in the act of destroying the tea, and who bore a conspicuous part in the subsequent events of the Revolution.—See also *Almon's Remembrancer*, vol. 1. *Collection of the Mass. Histor. Society*, vol. 2.

sult. Time soon verified his prediction; but the want of correct information on the part of the British ministry, as to the state of public feeling in this country, seems almost incredible. Lord North himself has been heard to declare, that Dr. Williamson was the first person who, in his hearing, had even intimated the probability of such an event.*

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* While Dr. Williamson was at Boston, he became acquainted with Messrs. Adams, Warren, Otis, and other selectmen. From Boston he sailed for London, on the 22d of December, 1773, in a ship that belonged to Mr. Hancock, a few days after the tea was destroyed. Governor Hutchinson had sent his despatches by a brig that sailed some days before the ship. She belonged to a man of other politics. In that brig sailed three gentlemen passengers. The ship arrived six days before the brig. In the mean time, Dr. Williamson, in conversation with Lord Dartmouth, had detailed the events at Boston. The three gentlemen who arrived in the brig, were immediately examined, and their evidence, signed and sworn to before the Privy Council, was afterwards communicated to Parliament. Dr. Williamson being sent for, was at first examined before two or three public officers, about the 1st of February, 1774, preparatory to his being examined before the Privy Council. From the several questions that had been put to him, and the direct answers, he concluded that no satisfactory knowledge could have been acquired of the late incidents in Boston: therefore, when he returned to his lodging, he wrote a regular detail of the several material incidents he had observed in Boston, which included an answer to the several questions that had been put to him, and a statement of sundry facts. When he attended the next day at the Horse-Guards, where the Privy Council sat, an officer read to him what had been written as his answer to the questions that had been propounded. He objected to the whole as incorrect, and handed him the narrative he had written. After that officer had informed the Council of the Doctor's objections to the answers as written, the Doctor was called in, and the Lord President informed him, that they would receive his narrative, but wished to ask him a few more questions. The clerk wrote his answer to one of the questions so very incorrectly, as to convey an idea very different from what was intended—of this the Doctor complained, and the clerk was properly reprimanded. When the examination was finished, an officer (the Attorney General) handed the Doctor a book, and a pen, that he might swear and sign his name. He laid down the pen—requesting their lordships to believe, that he was not in the habit of saying things that he was not willing to swear—But although he had studied medicine, and not law, he knew so much of the law as that a witness should not be examined concerning any fact that might endanger a man's life, unless the party was present by whom he might be interrogated. This, he said, was counted to be the law in England; he could not tell whether it would pass for law in America: "*But if the measures were about to be pursued by Parliament against America, which out of doors were said to be intended, the time was not far distant, when his native country would be deluged with blood.*" "*This hand,*" *said he,* "*shall be guiltless of that blood.*" The Lord Chancellor assured him, that the examination and oath now taken, could not be used against any man who might be prosecuted, and tried for life; and the president declared upon his honour, that it had been the custom, time out of mind, to examine witnesses upon oath before the Privy Council, consequently

We now come to an event, memorable by the commotion it excited at the time, and by the magnitude of the consequences which have since arisen from it; I refer to the discovery of the celebrated Letters of Hutchinson and Oliver: and here I beg leave to call your notice to a few of the earlier circumstances of the late revolutionary war, in order to communicate a fact hitherto unrevealed.

Although the disturbances which originated in the famous stamp act, had nearly subsided with the repeal of that noxious measure, and returning sentiments of friendship were every day becoming more manifest, yet new obstacles to a permanent reconciliation appeared in the attempts of the British administration, to render certain officers of the provincial governments dependant on the crown alone. This measure of the court gave particular offence to the colony of Massachusetts, from the peculiarly obnoxious character of their governor, who at times, impelled by avarice and by the love of dominion, had, in furtherance of his schemes of self-

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this could not be considered as setting a novel precedent. Dr. Williamson then subscribed the narrative. The examinations of the other three gentlemen were communicated to Parliament, but Dr. W. understood that his examination had not been communicated, nor could he think of any reason why it should have been suppressed, unless that he had observed in the course of his narrative, that the selectmen in Boston caused a guard to be placed over the Tea ships, for the double purpose, as they alleged, of preventing the tea from being smuggled on shore, and of preventing evil-minded persons from destroying the ships or tea; for they had determined that both should return to London. As that fact seemed to invalidate the charge of the premeditated intention of the selectmen to destroy the tea, which charge, however, was of great use to the administration in their desire to cripple the town of Boston, it may have caused the suppression of his evidence.*

It is a remarkable circumstance, that neither Governor Hutchinson, of Massachusetts, nor any other man in the service of the governor, should have had the candour to intimate to the Prime Minister, that resistance might be the effect of severe measures.

In October, 1776, Lord North, having sent for Mr. Ralph Izard, then in London, and Dr. Williamson, to ask their opinion concerning the operation of a particular law, told the Doctor that he, in presence of the Privy Council, was the first person that ever had intimated, in his hearing, the probability of a civil war in America.

The particular facts contained in this note, were communicated to the writer by Dr. Williamson, a short time before his decease.

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* The author of this memoir is in possession of the original draft of Dr. Williamson's narrative communicated to the Privy Council.

aggrandizement, uniformly manifested the most determined support to the views and measures of the mother country.

However discreditable to his reputation it may be, certain it is, that Governor Hutchinson was secretly labouring to subvert the chartered rights of the colony, whose interests he had sworn to protect. His agency in procuring the passage of the stamp act was more than suspected, and apparently upon reasonable grounds.

The illustrious Franklin, who had recently rendered himself conspicuous by his examination before a committee of the British Privy Council, and who at this period resided in London, as agent for the colonies of Pennsylvania and Massachusetts, obtained possession, through the agency of a *third* person, of certain letters written by Governor Hutchinson; Secretary Oliver, afterwards Lieutenant Governor; Charles Paxton, Esquire, and other servants of the crown; and sent by them from Boston to Thomas Whately, Esquire, Member of Parliament, and a Private Secretary of Lord Grenville.

In these letters, the character of the people of Massachusetts was painted in the most odious colours, and their grievances and proceedings misrepresented by falsehoods the most glaring and unfounded.

It would seem to have been equally the object of Governor Hutchinson, and his coadjutors, to furnish excuses for the ministry, already sufficiently disposed to adopt every measure of severity towards the colonists, through the prejudiced representations of Bernard and his commissioners; and to poison the minds of the opposition, who had, on most occasions, proved themselves their warm advocates.

Dr. Franklin lost no time in transmitting these letters to his constituents at Boston. "The indignation and animosity which were excited, on their perusal, knew no bounds. The House of Representatives agreed on a petition, and remonstrance, to his Majesty, in which they charged their Governor and Lieutenant Governor with being betrayers of their trust, and of the people they governed; and of giving private, partial, and false information. They also declared them enemies to the

colonies, and prayed for justice against them, and for their speedy removal from their places."*

The petition and the remonstrance of the people of Massachusetts were communicated to his Majesty's Privy Council by Dr. Franklin, in person, and after a hearing by that board, the Governor and Lieutenant Governor were acquitted. It was on this occasion that Mr. Wedderburn, (afterwards Lord Loughborough,) who was employed as counsel on the part of the governor, pronounced his famous philippic against Dr. Franklin; which has always been considered among the most finished specimens of oratory in the English language. In this speech, he charged that venerable character with having procured the letters by unfair means. "The letters could not have come to Dr. Franklin (says Mr. Wedderburn) by *fair means*—the writers did not give them to *him*, nor yet did the deceased correspondent, [Mr. Whately,] who, from our intimacy, would have told me of it: nothing then will acquit Dr. Franklin of the charge of obtaining them by fraudulent or corrupt means, for the most malignant of purposes; unless he stole them from the person who stole them. This argument is irrefragable.

"I hope, my lords, you will mark and brand the man, for the honour of this country, of Europe, and of mankind. Private correspondence has hitherto been held sacred in times of the greatest party rage; not only in politics but religion." "He has forfeited all the respect of societies and of men. Into what companies will he hereafter go with an unembarrassed face, or the honest intrepidity of virtue? Men will watch him with a jealous eye—they will hide their papers from him, and lock up their escrutoires. He will henceforth esteem it a libel to be called a *man of letters*, HOMO TRIUM LITERARUM."†

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* Memoirs of the Life and Writings of Franklin, 4to. *p.* 183. *Lond. ed.* 1818.

† Memoirs of Franklin, 4to. vol. 1. Appendix. See also the letters of Governor Hutchinson, and Lieutenant Governor Oliver, &c. and remarks thereon, by Israel Mauduit, with the Assembly's address, &c. 2d ed. *Lond.* 1774.

A controversy having taken place in the public prints, between Mr. William Whately, (the brother of the secretary to whom the letters had been addressed, and who was now dead,) and Mr., afterwards Sir John Temple, arising out of the manner in which the letters of Governor Hutchinson had been procured and transmitted to Boston, and which dispute was followed by a duel between those two gentlemen, Dr. Franklin, in order to prevent any further mischief, published a letter in the newspapers, in which he assumed the entire responsibility of sending the papers to America. Alluding to this letter of Dr. Franklin, Mr. Wedderburn continued:

"But he not only took away the letters from one brother, but kept himself concealed till he had nearly occasioned the murder of the other. It is impossible to read his account, expressive of the coolest and most deliberate malice, without horror. Amid these tragical events, of one person nearly murdered, of another answerable for the issue; of a worthy governor hurt in his dearest interest; the fate of America is in suspense. Here is a man, who with the utmost insensibility of remorse, stands up and avows himself the author of all: I can compare it only to Zanga, in Dr. Young's Revenge—

> 'Know then 'twas I——
> I forged the letter—I disposed the picture—
> I hated—I depised—and I destroy.—'

"I ask, my lords, whether the revengeful temper, attributed by poetic fiction only to the bloody African, is not surpassed by the *coolness* and *apathy* of the wily American?"

The speeches of Mr. Dunning, afterwards Lord Ashburton, and Mr. Lee, who appeared as counsel in behalf of the assembly of Massachusetts, were never reported at length; but they chiefly insisted upon the noxious parts of the letters of Hutchinson and Oliver.

By the preceding extracts from the speech of Mr. Wedderburn, it will be seen that the chief subject of his vehement invective was the disclosure, by Dr. Franklin, of what was termed by the Parliamentary orator, a

private correspondence.* But the truth is, these letters could not be considered in any wise as private; but were as public as letters could be. To use the emphatic language of Dr. Franklin himself, "They were not of the nature of private letters between friends; they were written by public officers to persons in public stations, on public affairs, and intended to procure public measures: they were therefore handed to other public persons, who might be influenced by them to produce those measures. Their tendency was to incense the mother country against her colonies, and by the steps recommended, to widen the breach, which they effected. The chief caution expressed with regard to privacy was, to keep their contents from the colony agents, who, the writers apprehended, might return them, or copies of them, to America. That apprehension was, it seems, well founded; for the first agent who laid his hands on them, thought it his duty to transmit

* Dr. Priestley, who was present when Lord Loughborough pronounced his violent invective against Dr. Franklin, before the Privy Council, has published an interesting letter respecting Dr. Franklin's behaviour on that occasion. It is well worth a perusal, and may be found in the London Monthly Magazine, for 1804, and also in Priestley's Memoirs, and in the Memoirs and Life of Franklin, vol. 1. In a biographical work of some pretensions, the author, in his strictures on the character and services of Lord Loughborough, thus expresses himself: "His celebrated philippic pronounced against Dr. Franklin, before the Privy Council, is not perhaps surpassed by those of Demosthenes against Philip, or Cicero against Anthony."

I am constrained to enlarge this note by inserting the words of an American writer, (Mr. Walsh,) whose just sentiments are enhanced by the elegant and classical language in which they are conveyed.

"The discussion of the merits of the petition before the Privy Council, took place on the 29th of January, 1774; Franklin was present, accompanied by some few friends, and the lawyers employed for the colony. Mr. Wedderburn, the Solicitor General of the Crown, appeared as counsel for Hutchinson and his accomplices; or, rather, as the gladiator of the ministers, who had fixed upon this occasion for the prostration of the American advocate, and had assembled a number of their friends to witness the edifying spectacle. Wedderburn gave himself little trouble about vindicating his nominal clients, but assailed the intended victim with the most opprobrious charges, and the most vehement invective. He held him forth as 'a thief and a murderer;' as, 'having forfeited all the respect of societies and of men.' As he alternated his abuse with humurous sarcasms, the members of the council universally laughed aloud and the retainers of the ministry joined in the chorus. Franklin betrayed not the least emotion; he saw and heard with calm dignity; he only remarked to one of his lawyers, after the predetermined absolution of the culprits, that he was sincerely sorry to observe the lords of council behave so indecently, and to find 'that the coarsest language

them to his constituents."* In a letter on this subject, addressed to a friend, he also observes: "On this occasion I think fit to acquaint you, that there has lately fallen into my hands, part of a correspondence, that I have reason to believe laid the foundation of most, if not all, of our present grievances. I am not at liberty to tell through *what channel* I received it; and I have engaged that it shall not be printed, nor any copies taken of the whole, or any part of it; but I am allowed to let it be seen by some men of worth in the province, for their satisfaction only. In confidence of your preserving inviolably my engagement, I send you enclosed the original letters, to obviate every pretence of unfairness in copying, interpolation, or omission."†

Thus, Dr. Franklin performed a service which his situation as a public agent required of him. But notwithstanding the secrecy with which it had been conducted, the letters were soon after published by the assembly of Massachusetts; not however until after the appearance of other copies in Boston, produced by a member who, it was reported, had just received them from England.

I must be permitted to make an extract on this subject, from a writer to whom the literature of this country is largely indebted, and whom I have just quoted.

"The celebrated affair of Oliver and Hutchinson's letters, which occurred in December, 1772, exemplified

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could be grateful to the politest ear.' This scene is one which calls for national commemoration, by the pencil of a Trumbull. It overwhelms us with astonishment, when we reflect that the proper question for consideration, was no other than the solemn complaint and prayer of an important province; that the man thus treated was the representative of that, and three other considerable provinces; the boast and idol of all the colonies, then in a state of fearful incalescence; venerable for his age, his genius, his discoveries and writings as a philosopher and a moralist; one whom all Europe besides was emulously seeking to honour; and of whom the exalted countryman of Wedderburn, Lord Kames, wrote not long after his Sketches of the History of Man. 'Dr. Franklin, of Philadelphia, a man who makes a great figure in the learned world, and who would make a still greater figure for benevolence and candour, were virtue as much regarded in this declining age as knowledge.'" *Delaplaine's Repository of the Lives and Portraits of Distinguished Americans, vol. 2.*

* Franklin's Letter to the printer of the Daily Advertiser.

† Memoirs, 4to. p. 191.

the complete predominance in the mind of Franklin, of love of country, and the sense of official duty, over every suggestion of a temporising prudence, and every consideration of personal advantage. When accident put into his hands the libellous and treacherous letters of the governor, lieutenant governor, and other royal servants at Boston, it was enough for him to believe that they ought to be communicated to those whom they particularly concerned, to fulfil the obligation at once, fearlessly committing the ulterior results to Providence. He took, however, in pursuance of the high motives upon which he acted, every precaution in his power against sinister consequences. He kept inviolably, to the end of his life, under a severe trial of fortitude, the engagement of secrecy which he had contracted, as to the names of the individuals from whom he had received the letters; but though he foresaw a tempest of obloquy, he did not hesitate a moment to disclose, in the most public manner, his own share in the transaction, as soon as he knew the disclosure to be necessary for the prevention of mischief to an individual erroneously implicated."* I may add, that in order to prevent any violation of his engagement to the person from whom he had received the letters, which the interrogatories of the court might have compelled, he thought it incumbent on him to return to America.†

But it is time that I should declare to you, that this *third person* from whom Dr. Franklin received these famous letters, (and permit me to add, that this is the

* Delaplaine's Repository, vol. 2.

† "When Dr. Franklin put in his answer to the bill in Chancery, which had been filed against him in the name of Mr. Whately, he demurred to two of the interrogatories which it contained, and by which he was required to name the person from whom he had received the letters in question, and also the person in America to whom they had by him been transmitted; and declined making any disclosure of their names. This demurrer was, however, overruled, and he was ordered to answer these interrogatories; but feeling that his doing so would be a violation of his engagement to the person from whom he had received the letters and probably injurious to the person to whom they had been sent, he thought it incumbent on him to return to America, and thereby avoid the breach of his engagement; and he appears to have done this conscientiously, and so completely, that the person from whom the letters were received was never ascertained; nor were any of the conjectures respecting that person founded upon, or suggested by, any infidelity or indiscretion on the part of Dr. Franklin. He was not, however.

first time the fact has been publicly disclosed,) was Dr. Hugh Williamson.

I have before stated his mission in behalf of the academy. Dr. Williamson had now arrived in London. Feeling a lively interest in the momentous questions then agitated, and suspecting that a clandestine correspondence, hostile to the interest of the colonies, was carried on between Hutchinson and certain leading members of the British Cabinet, he determined to ascertain the truth by a bold experiment.

He had learned that Governor Hutchinson's letters were deposited in an office different from that in which they ought regularly to have been placed; and having understood that there was little exactness in the transaction of the business of that office, (it is believed it was the office of a particular department of the treasury,) he immediately repaired to it, and addressed himself to the chief clerk, not finding the principal within. Assuming the demeanour of official importance, he peremptorily stated, that he had come for the last letters that had been received from Governor Hutchinson and Mr. Oliver, noticing the office in which they ought regularly to have been placed. Without a question being asked, the letters were delivered. The clerk, doubtless, supposed him to be an authorized person from some other public office. Dr. Williamson immediately carried them to Dr. Franklin, and the next day left London for Holland.

I received this important fact from a gentleman of high respectability, now living; with whom, as the companion and friend of his early days, Dr. Williamson had intrusted the secret.*

By this daring measure, was detected and put beyond question, the misrepresentations and designs of Hutch-

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under an equal obligation to secrecy in regard to the person to whom the letters were *immediately* transmitted: and he therefore confidentially informed a friend of his, (Dr. Bancroft, to whom the editor is indebted for this note,) that they had been sent to Mr. Cushing, then speaker of the House of Representatives of the Massachusetts Bay, with whom it was Dr. Franklin's duty, as agent for the assembly of that province, to correspond." See page 195 of Franklin's Memoirs, as published by William Temple Franklin, Esq. *London*, 4to.

* See additional documents.

inson and his associates; and, perhaps, no event in the previous history of the provinces excited more bitter indignation, or was calculated to call for opposition to the measures of Great Britain, to which these misrepresentations had given rise.

The lively interest, and the conspicuous part which Dr. Williamson took in public affairs, did not prevent him, while in England, from bestowing a portion of his attention upon scientific pursuits. Electricity, whose laws had been recently determined by the discoveries of Dr. Franklin, and by his genius introduced among the sciences, was then a study, which, like chemistry at the present day, largely engrossed the minds of philosophers. In conjunction with Dr Ingenhouz, Mr. Walsh, Mr. John Hunter, and Dr. Franklin, he frequently instituted electrical experiments, to which I have often heard him refer with juvenile feelings, at the same time professing his ardent attachment to this branch of knowledge. The only paper which bears testimony to his investigations on this subject, is that entitled, "Experiments and Observations on the Gymnotus Electricus, or Electrical Eel," which was first published in the Philosophical Transactions of the Royal Society of London, for the year 1775, and has since been reprinted in the abridgment of that work.* Like the experiments of Mr. Walsh, those of Dr. Williamson led to a belief that the shock given by the gymnotus electricus, was truly an electrical phenomenon. The following are the results derived from the experiments which Dr. Williamson instituted on that occasion:

"1st. That the Guiana Eel has the power of communicating a painful sensation to animals that touch or come near it. 2d. That this effect depends entirely on the will of the eel; that it has the power of giving a small shock, a severe one, or none at all, just as circumstances may require. 3d. That the shock given, or the principal sensation communicated, depends not on the muscular action of the eel, since it shocks bodies in certain situations at a great distance; and since particular

* Philosophical Transactions of the Royal Society of London, abridged by Hutton, Shaw, and Pearson, vol. xiii. page 597.

substances only will convey the shock, while others, equally elastic or hard, refuse to convey it. 4th. That the shock must therefore depend on some fluid which the eel discharges from its body. 5th. That as the fluid discharged by the eel affects the same parts of the human body that are affected by the electric fluid; as it excites sensations perfectly similar; as it kills or stuns animals in the same manner; as it is conveyed by the same bodies that convey the electric fluid, and refuses to be conveyed by other bodies that refuse to convey the electric fluid; it must also be the true electrical fluid; and the shock given by this eel must be the true electrical shock." Finally, from these and sundry other experiments, Dr. Williamson was also led to believe, "that the gymnotus has powers superior to, or rather different from, those of the torpedo, or electric ray."—Time will not allow me to point out in what respects the conclusions of Dr. Williamson, as deduced from his own investigations, coincide with, or differ from, those subsequently made on the same animal, by Baron Humboldt.*

Dr. Williamson had scarcely made his tour through Holland and the Low Countries, when the news of the declaration of American Independence reached him. He now concluded to return to his native land. He proceeded to France, and after a short time spent in that kingdom, during a great part of which he was confined by sickness, he sailed from Nantz in December, for Philadelphia, at which place he did not arrive before the 15th of March. The ship in which he sailed was captured off the Capes of Delaware, but he, with another passenger, escaped in an open boat with some very important public despatches, of which Dr. Williamson was the bearer.

The American army, at the period of Dr. Williamson's return from Europe, was, in some measure, organized, and every office in the Medical Staff, or in the line, that he could with any propriety accept, was filled up. True it was, that he had strong claims to public

* See his Personal Narrative, vol. 1

employment, and the proofs were in his possession ; but those claims he could not at that time urge, without endangering individuals who were on the other side of the Atlantic, nor could he do it without a breach of confidence, a species of crime that he cordially abhorred. He resolved, therefore, to remain in private life, waiting for opportunities which he trusted would present themselves in the course of a dangerous struggle. In the mean time, he undertook a journey to Charleston, in South Carolina, with a younger brother,* on a mercantile speculation. His brother sailed from Charleston for a neutral port in the West Indies. The Doctor, in company with another gentleman, purchased a sloop in Charleston, and having loaded her with a suitable cargo intended for Baltimore, ordered her for Edenton, in North Carolina; but before his arrival at Edenton, General Howe, with the British army, on his way to Philadelphia, had entered Chesapeake Bay. That circumstance determined the Doctor to continue in Edenton, from which he afterwards traded to neutral islands in the West Indies ; but while he thus continued his mercantile connexion with his brother, then also engaged in the West India trade, he determined to resume the practice of medicine : this he did with the same success as he had done formerly at Philadelphia, and in a short time acquired the confidence of the people of Edenton.

During the period of his residence there, he was invited to Newbern, for the purpose of communicating the small-pox to such as had not experienced the benefits of inoculation. These circumstances in part contributed to spread the name of Dr. Williamson, and to lay the foundation of that fame and confidence which he afterwards obtained in the State of North Carolina.

The Doctor had taken an early opportunity of informing the governor of that province, that if any circumstance should occur in the course of the war, in which he could be of use to the state, he might immediately command his services. It is known that the British troops took possession of Charleston in the winter of 1779–1780, and that the assembly of North Ca-

* Captain John Williamson.

rolina ordered a large draft to be made from their militia, of from four to six thousand men, who should join the regular troops then ordered for the relief of South Carolina. The command of the North Carolina militia was given to their late Governor Caswell, with the rank of Major General. The General putting Dr. Williamson in mind of a former promise, handed him a commission, by which he found himself at the head of the medical department, as physician and surgeon.

An occasion now presented itself, in which the Doctor had an opportunity of displaying his firmness of character, his humanity, his professional skill, and his incorruptible adherence to the cause in which he had embarked. On the morning after the battle near Camden, on the 18th of August, 1780, which the Doctor witnessed, he fell in with General Caswell, and requested of him to give him a flag, observing that, although a great part of the militia had behaved ill, yet many of them, as he must have observed, fought with distinguished bravery, and that a considerable number, in consequence, were wounded and made prisoners. They claimed our attention. The General advised him to send in some of the regimental surgeons, observing that his duty did not require that service from him. The Doctor replied, that the regimental surgeons, such of them as he had seen, refused to go; being, as he suspected, afraid of the consequences. But, said he, if I have lived until a flag will not protect me, I have outlived my country; and, in that case, have lived one day too long. To this observation, no reply was made—he obtained a pass, and the necessary instructions.

He remained two months with the enemy in Camden, during which time he rendered very essential services to the prisoners committed to his care. Such, too, was the estimation in which the medical skill of Dr. Williamson was held by the enemy, that during the illness of one of their general officers, in which the advice of a physician became necessary, his attendance was requested in addition to that of the surgeons constituting their medical department.

About the middle of October, cold mornings and evenings proved injurious to convalescents who had no

warm clothing. It now became desirable that some coarse woollens should be obtained. The Doctor, who had brought with him a small supply of gold to obviate accidents, availed himself of that cash to purchase the clothing that became necessary for the prisoners under his charge.

The British troops, in the autumn of 1780, took possession of Portsmouth and Norfolk, and made an incursion into North Carolina: a camp was directed to be formed near the Great Dismal, for the defence of the state. General Gregory, who had distinguished himself in the action near Camden, having been twice wounded with a bayonet while bringing off his brigade, was appointed to the command in that department; and at his particular request, Dr. Williamson was permitted to serve with him. This was a pleasing circumstance to the Doctor, for as a winter campaign was expected, he wished to have an opportunity of ascertaining, by actual observation, how far careful attention to the diet, dress, and comfortable lodging, might contribute to preserve the health and lives of soldiers in their encampment.

The General made choice of a strong position within the borders of Virginia, about ten miles from the British advanced post, and orders were issued that the Doctor's instructions should be respected in every thing that might contribute to the comfort and health of the troops. A tent or hut, of sufficient size to lodge twelve or fourteen men, was immediately directed to be built on dry sandy ground. Dr. Williamson attended in person, and superintended the position of every piece of timber entering into its construction, and even overlooked the formation of the several drains leading from it. That hut became the general model for such as were afterwards erected, and the Doctor selected the ground on which all others were to be constructed. To the diet of the soldiers his attention was also particularly directed: believing that fluid nourishments, by their effects in promoting perspiration, and preserving a healthy state of the excretions in general, are better calculated to guard the body against febrile diseases, he made it a subject of his care to provide the troops with a plentiful

supply of soups and other liquid nourishments: for this purpose, while the soldiers remained on that ground, he directed that each mess, consisting generally of eight or ten persons, should detach a man from day to day, whose particular duty it was made to collect the various esculent vegetables that could be obtained in that neighbourhood; the Doctor even took the direction of the manner in which their nourishment should be prepared.

There is much reason to believe, that two-thirds of the complaints by which military men suffer, originate in the circumstance of sleeping too near the moist ground, by which the perspiration is checked or moisture is absorbed, that, in most cases, is charged with putrescent vegetable matter. The Doctor was fully impressed with this truth; and accordingly adopted the means of securing to his men a dry and comfortable lodging. As many trees in that country are loaded with moss, (the Tillandsia Usneoides of Linnæus,) he directed that every man should sleep on a bed of that moss, or of dried leaves, so as to afford perfect security against any moisture that might arise from the soil.

The sick and wounded were lodged in close and warm houses. They were also plentifully supplied with the tea prepared from the leaves of the Yapon, or *Ilex Cassine Peragua, Linn.* a plant which flourishes on the banks of Carolina, affords an excellent beverage, and is employed by many as a substitute for the teas of China. When the use of milk was indicated, that article was also provided for the sick, and at the Doctor's expense. This experiment exceeded his most sanguine expectations; for although they were in camp during the winter, (never less of the North Carolina militia than five hundred, and on some occasions, including the addition of the Virginia militia, the number amounted to twelve hundred men,) they lost but two during the period of six months; nor did any man obtain a furlough on account of indisposition.

Early in the spring of 1782, Dr. Williamson took his seat as a representative of Edenton, in the House of Commons of North Carolina. In that assembly he fortunately met with several members, whose brothers, sons, or other connexions, he had served in the army,

or while they were prisoners. Those services were not forgotten. It was to be expected that a gentleman who had seen much of the world, and whose education had been so extensive, could hardly fail, with the aid of moderate oratorical abilities, to become an influential member in a deliberative body. Such in fact he proved. Among other bills which he introduced with success, we find one for erecting a court of chancery, which had often been attempted, in vain, in that state. It may be presumed, that old members, who had been accustomed to conduct the business of that house, were not gratified with being left in the minority by a gentleman who was, at that time, comparatively a stranger in their state. Yet when the election came on for members of congress, those very gentlemen added their influence to that of the friends he had acquired in the army, and he immediately was sent to the general congress without opposition. He continued at the head of the delegation for three years, the longest time that any member was then permitted to serve.

During the three years in which he was not eligible to hold a seat in that body, he served the state occasionally in its legislature, or in some other capacity.

In the year 1786, he was one of the few members who were sent to Annapolis, to revise and amend the constitution of the United States; and who, finding that they had not sufficient powers to do any thing effectual, recommended to the several states to make another choice of delegates, and to invest them with the requisite powers. In that year Dr. Williamson published a series of Essays, deprecating paper currency, and recommending an excise to be imposed. In the year 1787, he was one of the delegates from North Carolina, in the general convention at Philadelphia, who formed and signed the present constitution of the United States.

As the State of North Carolina had at that time in circulation, two large emissions of paper money, which were a legal tender, and which had depreciated to less than half of its nominal value, we are not surprised that a majority of its citizens should have looked on the federal constitution with an evil eye; for debtors, as we presume, in most countries form the majority. It fol-

lowed that the Doctor, who advocated the new constitution with great zeal as well as ability, lost a portion of his popularity in the state he had represented: he was, nevertheless, again chosen in December, 1787, by the general assembly, to take his seat in congress the succeeding spring, when he would be again eligible, having been three years absent from that body. The assembly at the same time passed a law for a general state convention, to be held at Hillsborough, in July, 1788, for the purpose of determining upon the constitution that had been proposed. The convention, after much debate, adjourned on the 2d of August, having refused to adopt the proposed constitution by a majority of more than two to one, viz. one hundred and eighty-four to eighty-four.

The next general assembly, in December, 1788, passed a law calling another convention, to meet in the following year. It may be recollected, that eleven of the states having adopted the new constitution, it was immediately after carried into operation, and the first congress met in New-York, in the year 1789. It happened a short time after that congress met, of which Dr. Williamson was a member, several small vessels laden with naval stores, arrived from North Carolina at the port of New-York. The Collector of the customs refused them entrance, unless they should pay the alien duty, which was six to one of the domestic. Dr. Williamson, who continued in New-York, after the dissolution of the old congress, as a commissioner to settle the accounts of North Carolina with the United States, drew up and presented to congress a spirited protest against the decision of the Collector; at the same time urging the fact, that North Carolina had not by any act forfeited her claim to be considered as one of the United States. This protest, in twenty-four hours, produced a law, by which the Carolina vessels were allowed to enter upon paying the *domestic* tonnage. By that interposition and attention to the interests of North Carolina, the Doctor more than regained his former popularity. When the first convention sat, he was attending in congress; but he was chosen, and attended as a member of the second convention in 1789, by which

the constitution was adopted by a majority of two to one. The Doctor's congressional career was now to terminate. He had been chosen a representative from North Carolina, in the first and second congress; but, desirous of retiring from political life, he, at a new election, declined being a candidate.

Before I pass on to other circumstances connected with the career of Dr. Williamson, I beg to be indulged in one or two remarks on the character and influence of his political life. We have seen, that as a representative of the people in the legislature of North Carolina, and in the supreme council of the nation, he was occupied many years. No man, I believe, ever enjoyed in a larger degree the confidence of his constituents, for integrity of conduct; and the influence of his character will be readily appreciated, when we advert to the many important services he effected during the most eventful period of our political history.

He was anxious to prove himself worthy of the high trust reposed in him, nor did he ever permit any private or selfish views to interfere with considerations of public interest. As chairman of numerous committees,—as the mover of important resolutions,—as the framer of new propositions, and new laws,—he devoted the best energies of an active mind, and was ever prominent in the business of the house. In debate, his elocution was striking, but somewhat peculiar. The graces of oratory did not belong to Dr. Williamson; yet the known purity of his intentions, his inflexible devotedness to the interests of his country, and the unblemished tenour of his private life, awakened an attention which was well supported by the pertinency of his observations, the soundness of his reasoning, and the information he possessed upon every subject to which he directed his attention.

While in congress, his duties as a legislator were his exclusive study, and this advantage seldom failed of a success which was denied to the lengthened debate and declamation of his opponents.

In his answer to a letter enclosing the thanks of the general assembly of North Carolina, for his long and faithful services, referring to his own conduct, he ob-

serves, "On this repeated testimony of the approbation of my fellow citizens, I cannot promise that I shall be more diligent or more attentive to their interests; for ever since I have had the honour to serve them in congress, their particular interest, and the honour and prosperity of the nation, have been the sole objects of my care; *to them I have devoted every hour of my time.*"

Although Dr. Williamson might not captivate by the graces of elocution, he possessed a remarkable quickness in perceiving and comprehending the several bearings of a question; and if eloquence be correctly defined by Dr. Johnson, "the power of overthrowing an adversary's argument, and putting your own in its place," then Dr. Williamson may, indeed, be pronounced an orator; for in detecting the weak and defenceless points of the adversary's citadel, he discovered no less adroitness, than in the force and strength with which he followed up the combat. He rarely occupied the house with what is called a set speech; but in his desultory observations frequently appeared a knowledge of the principles of legislation, which could only be furnished by a mind enriched by experience, and deeply versed in the history of man. How well his services were appreciated, is evinced by the repeated vote of thanks with which he was honoured by the Legislatures of Pennsylvania and North Carolina. I shall add to their approbation of the public part of Dr. Williamson's character, the opinion of Mr. Jefferson, with which I have been lately favoured: "We served together in coagress, at Annapolis, during the winter of 1783 and 4: there I found him a very useful member, of an acute mind, attentive to business, and of an high degree of erudition."

In January, 1789, Doctor Williamson was married to Miss Maria Apthorpe, daughter of the late Honourable Charles Ward Apthorpe, formerly a Member of his Majesty's Council, for the province of New-York: by that lady he had two sons: she died when the youngest was but a few days old.

After the loss he had sustained by the death of Mrs. Williamson, he resolved to retire from public employment; to settle his private affairs: to prepare for publication his work on Climate, and his more elaborate

performance, his History of North Carolina: but the object of attention which lay still nearer his heart, and which especially induced him to withdraw from the very honourable station he had held, was the education of his children: to them he devoted, with great solicitude, a large portion of his time and attention. His eldest son, who died in 1811, in the 22d year of his age, gave evidence of the parental care that had been exercised in the superintendence of his education, and of the success with which it had been conducted. He was a good classical scholar—was well versed in astronomical and philosophical knowledge, and still more remarked for his correct deportment, his benevolence of character, and his sincere piety. He was an Alumnus of Columbia College, and reflected credit upon that institution, which holds so distinguished a place among the literary establishments of this country.

The younger son, whose constitutional infirmities gave little promise, by his death soon after, filled up the measure of his father's afflictions. Although the Doctor was never heard to lament the loss of his children, yet no fortitude of mind that he possessed could prevent him from feeling, that in the death of his elder son in particular, he had lost his companion, the staff and solace of his old age. But his mind did not require that repose which his feelings otherwise solicited. From this period, the pursuits of philosophy became the more exclusive objects of his regard.

In 1811, his "Observations on the climate in different parts of America, compared with the climate in corresponding parts of the other Continent," were published, in one volume 8vo. It is in vain to attempt any thing like an analysis of this performance, at this time: a few remarks, however, on this interesting subject, may not be irrelevant. Actuated by patriotism and the love of truth, Dr. Williamson indignantly exposes the sophistry of those writers who have asserted, that America is a country in which the frigid temperature and vice of the climate, prevent the growth and expansion of animal and vegetable nature, and cause man and beast to degenerate. He altogether discards the notion, that a new or inferior race of men had been created for the

American continent. A firm believer in the Mosaic writings, he labours with the learned Bishop of Clogher, to prove the conformity of things to Biblical history. He believes our country, in her rivers, mountains, lakes, and vegetable productions, to be formed on a scale of more magnificence than those of the old world, and thinks that the winters are more temperate on the western than on the eastern coast of North America; although in some parts of this continent they are colder than in corresponding latitudes of Europe: he maintains a gradual amelioration of our climate. He considers the opinion that the Indian is of a new race, to be altogether untenable; that every part of America was inhabited when discovered by Columbus, and that North America was settled from Tartary or Japan, and from Norway; that South America was peopled from India.

While he admits the great antiquity of the globe, he, nevertheless, is the advocate of the comparatively recent origin of man: he concludes that the inhabitants of America, in the progress of time, may be expected to give proofs of genius, at least equal to those of the other continent. Mr. Jefferson, many years since, had successfully refuted the hypotheses of Buffon, with respect to the comparative size and number of animals, and the degeneration which was imputed to animal life in the new world. Dr. Williamson occupies more extensive ground, and, like his illustrious predecessor, armed with truth and philosophy, not only fully vindicates the animal and vegetable productions of this continent, but also the climate of America. The libellous assertions of Buffon, Raynal, Robertson, and a host of inferior writers, are put to nought by the facts and the conclusive reasonings adduced by Dr. Williamson.

In the following year, 1812, appeared his History of North Carolina, in two volumes 8vo.

The author commences his undertaking with a short account of the discoveries made in America by adventurers from the different parts of Europe. He next relates the attempts of Sir Walter Raleigh to settle a colony in North Carolina, and from that time the history of that colony is continued down to the beginning of

the American Revolution: the work closes with a view of the soil, produce, and general state of health in different parts of that country. In the proofs and explanations annexed to each volume, are inserted many valuable documents, selected with care, illustrative of matters contained in the body of the text.

The materials of this work were derived chiefly from original sources, and, consequently, great dependence may be placed on them for their correctness. These materials too are the more to be valued, because little information could be obtained from any accounts of North Carolina, previously published. "Hackluyt, Purchas, and other early writers," says Dr. Williamson, in his preface, "have been sufficiently minute in describing the first discoveries, and the attempts that were made to form settlements on different parts of the continent; but no writer has treated with any attention of the progress of colonization, or the civil history of North Carolina, from the time in which the first permanent settlements were formed in that country. Wynn, Oldmixon, and others, who wrote of Carolina, have done little more than name the northern province; their attention was chiefly engaged by South Carolina." "My information," he continues, "has chiefly been taken from public records, and from letter-books or other manuscripts in the possession of ancient families."

In the general arrangement of his materials we find nothing to censure, and much to commend. The want of dates will occasionally be felt, as their more frequent occurrence must have been attended with additional advantage. In the selection of his matter, the Doctor has, with much propriety, enlarged upon circumstances of importance, without occupying the time of the reader with those which are of a trifling nature.

North Carolina is remarkable in affording, among many other memorable events, a more constant succession of grievances than fell to the lot of any other colony, and it presents throughout abundant room for philosophical inquiry and reflection. "I have confined myself," says the Doctor, "to this part of the history, although it was the less pleasing task."

The information contained in this work is communicated in a style remarkable for its uniform perspicuity and vigour. The narrative throughout affords numerous indications of more than ordinary penetration into the springs of human action. The author's reflections are the result of a ready and acute mode of thinking, devested of undue bias, and replete with good sense and salutary advice.

He who studies our colonial history, with the writings of Stith, Beverly, Colden, Belknap, Williams, Trumbull, Sullivan, Minot, and M'Call, must include the North Carolina of Dr. Williamson.*

There are other writings by the same author, of a minor nature, which merit notice. He was at no time an indifferent spectator of passing events, and even after he had actually withdrawn from public life, was repeatedly engaged, exclusively of his works on Climate and on North Carolina, in various publications relating to natural history, medicine, and other branches of a philosophical character. In 1797, Dr. Williamson wrote a short but important paper† on the fevers of North Carolina, as they had prevailed in 1792, in Martin County, near the river Roanoke, and as they had appeared in 1794, upon the river Neus, pointing out the treatment that had been found most successful, and the fatal effects of blood-letting in fevers of that type: these remarks were afterwards extended, and compose a chapter in his History of North Carolina,‡ highly interesting both to the pupil and practitioner of medicine.

In the American Museum, by Mathew Carey, he published several fugitive pieces on languages and politics.

In his communication on the Fascination of Serpents, published in the Medical Repository,§ he offers some new and ingenious opinions on that still inexplicable phenomenon in natural history.

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* See Reviews of Dr. Williamson's work on Climate, and the History of North Carolina, in the American Medical and Philosophical Register, vol. 3.

† See Medical Repository, vol. 2. p. 156.

‡ See vol. 2.

§ Vol. 10. p. 341, &c.

Upon the appearance of the yellow fever in New-York, in 1805, Dr. Williamson was appointed by the Corporation of the city, one of a Medical Committee to investigate the particular character and origin of the cases that occurred at the commencement of the pestilence of that season. From all that the Doctor had previously seen, as well as the facts that now fell under his view, he was led to the belief, with the other members of that committee, that the yellow fever is a disease sui generis, and consequently of a nature altogether different from the bilious remittent fever of this country.

He enriched the American Medical and Philosophical Register with several valuable papers. The first entitled, "Remarks upon the incorrect manner in which Iron Rods are sometimes set up for defending Houses from Lightning," &c. conveys some important practical instruction upon that subject.* His other papers were, "Conjectures respecting the Native Climate of Pestilence;" "Observations on Navigable Canals;" "Observations on the means of preserving the Commerce of New-York," and "Additional Observations on Navigable Canals;" all printed in the same periodical journal, under the signatures of *Observer*, or *Mercator*. Doctor Williamson was among the first of our citizens who entertained correct views as to the practicability of forming a canal to connect the waters of Lake Erie with the Hudson River; and the importance of this great work so engaged his feelings, that besides the papers already mentioned, on Canal Navigation, he published a series on the same subject, under the title of *Atticus*. These papers were so well received, that many thousand copies have been circulated through the medium of newspapers, and the pamphlet itself has been several times reprinted.

In the year 1810, Dr. Williamson was appointed by the New-York Historical Society, to deliver the anniversary discourse, illustrative of the objects of that Institution: he readily complied with their request, and upon that occasion selected for his subject, "the benefits of Civil History." That discourse is evidently the result of much reading and reflection.

* Vol. 1.

Having noticed the general neglect among ancient nations, to preserve authentic records of their events, and the consequent uncertainty and incorrectness with which the occurrences of former times are related, even by the best ancient writers, the author dwells upon the pleasure and advantages which arise from the study of civil history, and points out its importance as a means of promoting human happiness.

In 1814, associated with the present governor* of this state, and some other gentlemen friendly to the interests of science, and desirous to promote the literary reputation of the state of New-York, Dr. Williamson took an active part in the formation and establishment of the Literary and Philosophical Society of this city; and contributed to its advancement by the publication of a valuable paper in the first volume of its transactions.

As a Trustee of the College of Physicians and Surgeons, of the University of the State of New-York, he not only performed its duties with vigilance and impartiality, but contributed to its interests by a liberal pecuniary appropriation.

Some other institutions of this city were also aided by similar acts of his beneficence, especially the Orphan Asylum, and the Society for the Relief of Poor Widows with Small Children. To these his donations were such as his moderate fortune enabled him to bestow, consistently with his obligations to his family connexions; to whom, with the exception of a few inconsiderable legacies, he has left the residue of his estate.

The Humane Society, the City Dispensary, and the New-York Hospital, received a large portion of his time and attention during the remaining years of his life. In the last mentioned establishment, the punctuality and ability with which he performed the numerous duties assigned him, were subjects of great surprise to his associate junior members.

His quickness of perception—his memory—his judgment, and his external senses, all manifested an uncommon activity to the very last days of his life. This exemption from the ordinary defects and privations attend-

* His Excellency De Witt Clinton.

ant upon old age, is doubtless ascribable to his temperate and regular habits of living; the order and method with which he performed all his various duties; and especially to that rigid abstinence from all vinous and spiritous drinks, to which system of living he had so peculiarly adhered from his earliest days. For of him it may be truly said,

> "In his youth he never did apply
> Hot and rebellious liquors in his blood,
> Nor did not with unbashful forehead, woo
> The means of weakness and debility;
> Therefore his age was as a lusty winter,
> Frostly but kindly."
>
> *As You Like It---Act 2.*

The life of this excellent man was now drawing to its close. Hitherto, by means of the uniform temperance and regularity of his habits, he had, with very few exceptions, been protected from any return of those pulmonary complaints with which he had been affected in his youth. His intellectual faculties remained to the last period of his life unbroken, and in their full vigour.

It is somewhere said, that to an active and well disciplined mind, a chair in a library is the throne of human felicity. No man enjoyed the luxury of literary pursuits more than Dr. Williamson. These, with the society of his particular friends, added to the consolations afforded by religion, and the recollection of a life passed in the performance of duty, and devoted to the benefit of his fellow men, gilded the evening of his days, and rendered them no less cheerful and serene than had been the morning and meridian of his long and useful career.

For some time, however, after the death of his favourite son, his strength and spirits were observed to decline. In two or three years his ancles began to swell, attended with other symptoms denoting the approach of general dropsy. Although he had recourse to the Ballston chalybeate, by the middle of April, 1816, the swelling of the limbs and symptoms of a dropsical affection of the chest had so far increased, that for several weeks he could not lie in a horizontal posture, but was compelled to sleep sitting in his chair: by the use, however, of powerful diuretics, succeeded by tonic medicines and

daily exercise, his complaints in a few months were chiefly removed, and he was restored to his usual pursuits, and his wonted cheerfulness, which were continued to the day of his decease.

This event took place on the 22d day of May last, in the 85th year of his age, and in the sudden manner he himself had anticipated. While taking his accustomed ride a short distance from the city, accompanied by his favourite niece,* to whom he was tenderly attached, the heat of the day being unusually great, he suddenly sunk into a deliquum. Medical assistance was immediately called, but too late: his spirit had fled to him who gave it.

It remains for me to detain you, while I offer a few observations illustrative of such parts of Dr. Williamson's character as are not embraced in the details that have already occupied our attention.

To those who have not enjoyed a personal acquaintance with him, I may remark, that he was no less distinguished for the manliness of his form, than for the energy and firmness of his mind. Dr. Williamson, in his person, was tall, considerably above the general standard, of a large frame, well proportioned, but of a thin habit of body. He was remarkable for his erect, dignified carriage, which he retained even in the decline of life. His whole physiognomy was peculiar and striking. The proportion of his head to his person was good, and its configuration capacious and well formed. The features of his face were strongly marked, and indicated bold and original thinking. His forehead was high, open, and boldly arched. His cheek-bones were elevated, exhibiting the characteristic of his Scottish ancestors. His eyes were of a dark gray colour; in their expression, penetrating and steady. His nose was long and aquiline. His mouth exhibited an unusual depression, which in advanced life was greatly increased by the loss of his teeth. His chin was long and remarkably prominent. These peculiarities diminished the beauty of a head, which, with those exceptions, was

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* Mrs. Hamilton the wife of John C. Hamilton, Esq.

one of nature's finest models. Altogether, his form was one of those which cannot pass unnoticed; and if, in early life, he had sacrificed a little to the graces, his appearance would have been eminently attractive, as well as commanding.

The portrait in your presence,* painted by an artist† whose works reflect lustre upon our country, and whose name is honoured by every production of his pencil, exhibits a faithful likeness of the original.

In his conversation, Dr. Williamson was pleasant, facetious, and animated; occasionally indulging in wit and satire; always remarkable for the strength of his expressions, and an emphatic manner of utterance, accompanied with a peculiarity of gesticulation, originally in part ascribable to the impulse of an active mind, but which early in life had become an established habit.

As was to be expected from the education of Dr. Williamson, and from his long and extensive intercourse with the world, his manners, though in some respects eccentric, were generally those of a polite, well bred gentleman. Occasionally, however, when he met with persons who either displayed great ignorance, want of moral character, or a disregard to religious truth, he expressed his feelings and opinions in such manner, as distinctly to show them they possessed no claim to his respect. To such, both his language and manner might be considered as abrupt, if not possessing a degree of what might be denominated Johnsonian rudeness.

His style, both in conversation and in writing, was simple, concise, perspicuous, and remarkable for its strength; always displaying correctness of thought, and logical precision. In the order too and disposal of his discourse, whether real or written, such was the close connexion of its parts, and the dependence of one proposition upon that which preceded it, that it became easy to discern the influence of his early predilection for mathematical investigation. The same habit of ana-

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* The original portrait of Dr. Williamson, in the possession of the author of this memoir, was suspended in the College Hall, at the time this Discourse was pronounced.

† Colonel John Trumbull.

lysis, arising from "the purifying influence of geometrical demonstration," led him to avoid that profusion of language, with which it has become customary with some writers to dilute their thoughts: in like manner, he carefully abstained from that embroidery of words which a modern and vitiated taste has rendered too prevalent.

Under the impressions and precepts he had very early received, no circumstances could ever induce him to depart from that line of conduct which his understanding had informed him was correct. His constancy of character, the obstinacy I may say of his integrity, whether in the minor concerns of private life, or in the performance of his public duties, became proverbial with all who knew him. Nothing could ever induce him

"To swerve from truth, or change his constant mind."

As an illustration of his characteristic integrity, allow me to add, from the information of one of his friends, that when in congress, in 1791, it became his duty to vote upon the law passed in that year, imposing an excise on domestic distilled spirits, the celebrated *whiskey law*, as it was called, which gave rise to the western insurrection. In the debates on that subject, he took an active interest, and although he well knew that he was counteracting the sentiments of his constituents, he appeared the decided friend and advocate of that law.—On the day of its passing, and while the people were going from the hall, Dr. Williamson overtook a friend, from whom I received this anecdote: the Doctor joined him, informed him of the passage of the bill, and added in his usual sententious manner, "Sir, my vote was in its favour; I have discharged my duty to my conscience, but I have lost my popularity. I shall never again be elected to congress:" but that gave him no uneasiness: believing it to be a right measure, he had voted as his conscience and his best judgment dictated, and, as he observed, "he was not without the hope that one of its effects would be to lessen the use of a poison which was destructive of the morals and health of a numerous class

of the people."* I beg leave to add another evidence, which fell under my own notice, of that rigid adherence to moral rectitude which ever marked his character.

A few years since, a gentleman of this city, desirous of borrowing a sum of money, made an application to Doctor Williamson for that purpose: the Doctor promised to supply him; but upon the day when the transaction was to be completed, the gentleman not knowing that the Doctor's verbal promise and his written bond were of the same validity, and apprehending that something might occur to prevent the Doctor from complying with his engagement, offered him a larger interest than that recognised by law. The Doctor, offended by this insult to his integrity, at once declined further communication with the party concerned, and refused the loan he otherwise had been prepared to make.

Upon another more important occasion, he manifested somewhat similar feelings in rejecting a powerful appeal to his pride, and, I may add, to his reputation.

Joseph Ceracchi, an Italian statuary of great celebrity in his profession, finding the turbulent state of Europe unfavourable to the exercise of his art, had come to this country. This gentleman exercised his talents in erecting honorary memorials of some of our most distinguished public men. The busts of Washington, President Adams, Governor Jay, General Hamilton, Governor George Clinton, and Colonel John Trumbull, are eminent examples of his art.

He, at that time also, as appears by a correspondence in my possession, applied to Dr. Williamson, then a member of congress, for permission to perpetuate in marble, the bust of the *American Cato*, as Mr. Ceracchi was pleased to denominate him. I beg leave to read the originals:

"Mr. Ceracchi requests the favour of Mr. Williamson to sit for his bust, not on account of getting Mr. Williamson's influence in favour of the National Monu-

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* See Remarks by Dr. Williamson, on the increasing consumption of Spirituous Liquors in the United States, and the evil they produce to society.—*History of North Carolina*, vol. 2.

ment; this is a subject too worthy to be recommended; but merely on account of his distinguished character—that will produce honour to the artist, and may give to posterity the expressive features of the American Cato."

To this note, Dr. Williamson replied in his appropriate caustic style:

"Mr. Hugh Williamson is much obliged to Mr. Ceracchi for the polite offer of taking his bust. Mr. Williamson could not possibly suppose that Mr. Ceracchi had offered such a compliment by way of a bribe; for the man in his public station who could accept of a bribe, or betray his trust, ought never to have his likeness made, except from a block of *wood*.

"Mr. Williamson, in the mean time, cannot avail himself of Mr. Ceracchi's services, as he believes that posterity will not be solicitous to know what were the features of his face. He hopes, nevertheless, for the sake of his children, that posterity will do him the justice to believe, that his conduct was upright, and that he was uniformly influenced by a regard to the happiness of his fellow citizens, and those who shall come after them.

"*Philadelphia*, 11*th April*, 1792."

To those who knew his unbending resolution when once formed, it need not be added, that Dr. Williamson, offended by this flattery, persisted in his determination not to sit to Mr. Ceracchi.

The steadiness of his private attachments ought not to be passed over in silence. Dr. Williamson was slow in forming his friendship, but when formed, as the writer of this memorial of his worth can testify, it was immoveable, and not to be changed by time or distance.

Whatever may be the merits of Dr. Williamson, as a scholar, a physician, a statesman, or philosopher; however he may be distinguished for his integrity, his benevolence, and those virtues which enter into the moral character of man; he presents to the world claims of a still higher order. The lovers of truth and virtue will admire much more than his literary endowments, that

regard for religious duty, of which, under all circumstances and in all situations, he exhibited so eminent an example.

There are some philosophers, and of great attainments too in their particular departments of knowledge, whose views are so rivetted to, I had almost said identified with, the objects of their research, that they cannot extend their vision beyond the little spot of earth which they inhabit; they are, indeed, with great felicity of expression, designated by the appropriate name of *Materialists*. Dr. Williamson was not an associate of this class;—with all his inquiries into the physical constitution of this globe, like Newton and Rittenhouse, he could elevate his views to the Great Agent that gave existence to our world, and sustains it in its connexions with the other parts of the universe. With all the attention he bestowed upon the various parts of nature, he still, in the true spirit of a lover of wisdom, could direct his thoughts to

> "————Sion Hill,
> And Siloa's brook, that flow'd
> Fast by the oracle of God."

To those who delight to dwell on themes like these, it will be gratifying to receive the expression of his own sentiments and feelings on this momentous subject. In a letter I possess, written during his last illness, while it displays the full possession of his mental faculties, and manifests the consciousness of his approaching dissolution, and his patient resignation to that event; he observes, "I have not any apprehension of a long confinement by sickness; men of my habits usually drop off quickly, therefore I count it my duty to be constantly in a state of preparation, whether I may be called off in the morning, at noon, or at midnight."

Upon another occasion, a short time before his decease, he thus concludes a letter to his nephew, and which, I believe, proved one of his last communications.

"I have, as I believe, given you notice of every thing to which it is proper that you should attend; and having now, as I think, nearly finished my course through the wilderness of life, grant, O Lord! that when my

feet shall touch the cold stream of the waters of Jordan, my eyes may be steadily fixed on the heavenly Canaan, so that I may say to death, 'where is thy sting?'"

Such was the man whose character and services we have this day endeavoured to commemorate.

Citizens of America,

If piety, patriotism, talents, and learning, and these all devoted to his country's good and the best interests of mankind, entitle their possessor to praise and gratitude, you will cherish with respect the memory of Hugh Williamson, whose name will be associated with those to whom we are most indebted for our country's independence, and the first successful administration of that happy constitution of government which we now enjoy.

Young Gentlemen,

You who are now engaged in the pursuits of science as preparatory to the exercise of a liberal profession, will also learn, from the example that has been exhibited, to set a due value upon the diligent and profitable employment of your time, to dedicate your talents and services to your country's welfare; and above all, to cherish that love of truth, virtue, and religion, for which the venerable subject of this imperfect eulogy was so eminently distinguished.

NOTES.

NO. I.

Extract from a Letter of the Right Reverend Bishop White, of Pennsylvania, to Dr. Hosack, New-York.

PHILADELPHIA, *October* 14, 1819.

DEAR SIR,

ON the receipt of your letter of the 12th, I called on my neighbour, Mr. Read, whose information on the subject of your inquiry is as follows:

Dr. Williamson had learned that the letters of Governor Hutchinson were deposited in an office, different from that in which they ought regularly to have been. There had been some business which had convinced him (Dr. W.) that, in the transactions of the former office, there was no great exactness. He repaired to it, and not finding the principal within, he addressed himself to the chief clerk: assuming the demeanour of official importance, he demanded the late letters of Governor Hutchinson; noticing the office in which they ought properly to be placed. Mr. Read thinks it was that of the Secretary of State, but is not sure. The letters were delivered. Mr. Williamson carried them to a gentleman who would deliver them to Dr. Franklin, and the next day set off for Holland. Mr. Read remarked, that his statement should be taken in connexion with the narrative to be found in the Life of Dr. Franklin.

I have no doubt of the correctness of the communication of Mr. Read. Independently of the character he has sustained through life, and to a great age, Dr. W. and he were born within twelve miles of each other, and were companions from their boyhood.

Very respectfully your very humble servant,

WILLIAM WHITE.

TO DR. D. HOSACK.

P. S.—The Mr. Read mentioned in this letter, is brother to the late George Read, Esquire, of New-Castle, Member of the First Congress, and since Senator for Delaware, under the Federal Government. W. W.

NO. II.

Extract from a Letter of James Read, Esq. to Dr. Hosack.

PHILADELPHIA, *October* 26, 1819.

SIR,

The enclosed contains all the additional information I have been able to collect, relative to the subject of your letter, dated on the 20th instant.

As to the Hutchinson letters which I mentioned to Bishop White, I well remember Dr. Williamson telling me, sometime after his return from Europe, that he was the person who had procured them; having gotten information as to the office in which they were, (I think he said it was a particular part of the Treasury,) he went there, and without hesitation said to a clerk, (the only person then in the office,) that he came for the last letters that had been received from Hutchinson and Oliver, from Boston; that the clerk, without asking a question, gave him the letters, which he put into his pocket and walked out. He was convinced the clerk supposed him to be an authorized person from some other public office; that he placed the letters in a proper situation to be conveyed to Dr. Franklin, then in London, and he departed immediately for Holland. This is, if not exactly, at least the substance of what the Doctor told me, in a conversation we had on the then situation of our public affairs. The effects resulting from that transaction are generally known.

It will afford me much gratification, if any thing contained herein should be deemed useful to you in portraying the character of the estimable, and truly respectable, Dr. Williamson.

I am, with respect,
Sir,
Your obedient servant,
JAMES READ.

Dr. D. Hosack.

NO. III.

Extract from a Letter from the Honourable John Adams, LL. D. late President of the United States, to Dr. Hosack.

Quincey, *January* 28, 1820.

Sir,

Your Biographical Memoir of Dr. Williamson, which I have read with great interest and satisfaction, has excited so many reminiscences, as the French call them, that I know not where to begin, or where to end.

My first acquaintance with Dr. Williamson, was in Boston, in 1773, when he made a strong impression upon me, and gave me a high opinion of the intelligence, as well as energy of his character. He gave us great comfort, at that time, by the representation he gave us of the ardour of the people in the American cause, in the middle and Southern States, especially in New-York and Philadelphia. I was afterwards more particularly acquainted with him, when he was a member of the House of Representatives, in Congress; when he communicated many things to me, particularly that he was descended from Sir William Wallace, the great Scottish hero, patriot, and martyr. He informed me also, that he was employed in writing the History of North Carolina, a work that I have long wished to see, but have never been so fortunate as to obtain.

I was one of the first persons to whom Mr. Cushing communicated the great bundle of letters of Hutchinson and Oliver, which had been transmitted to him, as Speaker of the House of Representatives, by Dr Franklin, their agent in London. I was permitted to carry them with me upon a circuit of our Judicial Court, and to communicate them to the chosen few. They excited no surprise, excepting at the miracle of their acquisition. How that could have been performed nobody could conjecture; none doubted their authenticity, for the hand-writing was full proof: and, besides, all the leading men in opposition to the ministry had long been fully convinced that the writers were guilty of such malignant representation, and that those representations had suggested to the ministry their nefarious projects. I doubt not the veracity of Dr. Williamson's account of the agency in procuring those letters, but I believe he has omitted one circumstance, to wit, that he was employed upon that occasion by Mr. Temple, afterwards Sir John Temple, who told me, in Holland, that he had communicated those letters to Dr. Franklin. Though I swear to you, said he, that I did not procure them in the manner represented. This I believe, and I believe further, that he did not deliver them with his own hand, into Dr. Franklin's, but employed a member of Parliament. Very possibly Mr. Hartley, for that purpose, for Dr. Franklin declared publicly that he received them from a member of Parliament.

I am,

Your obliged friend, and most
Humble Servant,

JOHN ADAMS.

To D. Hosack, M. D. LL. D.

To the foregoing statement it may be proper to add, that Captain John Williamson, a surviving brother of the deceased, in a conversation which I held with him shortly after the death of Dr Williamson, fully confirmed the above account of his brother's agency in procuring the letters of Hutchinson He moreover declared, that his information had been derived immediately from his brother.

D. H.

A

DISCOURSE

ON THE

RELIGION OF THE INDIAN TRIBES

OF

NORTH AMERICA:

DELIVERED BEFORE

THE NEW-YORK HISTORICAL SOCIETY,

DECEMBER 20, 1819.

BY SAMUEL FARMAR JARVIS,

D. D. A. A. S.

Jusques dans leurs démarches les plus indifférentes on apperçoit des traces de la religion primitive; mais qui échapent à ceux, qui ne les étudient pas assez, par la raison qu'elles sont encore plus effacées par le défaut d'instruction, qu'altérées par le mélange d'un culte superstitieux, et par des traditions fabuleuses. CHARLEVOIX.

NEW-YORK HISTORICAL SOCIETY.

December 20th, 1819.

Resolved, That the thanks of this Society be presented to the Rev. Samuel F. Jarvis, D. D. for the Anniversary Discourse delivered by him this day, and that he be respectfully requested to furnish the Society with a copy for publication.

Resolved, That Doctor A. W. Ives, G. C. Verplanck, and M. C. Paterson, Esqrs. be a Committee to wait on the Rev. Doctor Jarvis, with this resolution.

JOHN PINTARD,

Recording Secretary.

A

DISCOURSE

ON

THE RELIGION OF THE INDIAN TRIBES

OF

NORTH AMERICA.

Mr. President, and
Gentlemen of the Historical Society,

In surveying those portions of American history from which I might select a subject for the present occasion, it appeared to me, that the religion of the Indian tribes of North America, had not been viewed with that largeness of observation, which is the characteristic of enlightened philosophy. Various causes may be mentioned, which have hitherto conspired to prevent, or to impede, such an examination. In the first place, the horror, proceeding from the cruelties of their warfare, forbade the calmness of investigation. As long as they were formidable, curiosity was overpowered by terror; and there was neither leisure, nor inclination, to contemplate their character as a portion of the human family, while the glare of conflagration reddened the midnight sky, and the yells of the savage, mingling with the shrieks of butchered victims, rode, as portentous messengers, upon every gale. But that state of things has long ceased to exist. The white men of America have become too numerous, to fear any longer the effects of savage barbarity; and the tales, which once carried terror to the stoutest heart, are now scarcely heard beyond the precincts of the nursery. In the room of fear, should now arise a sentiment of pity. "The

red men are melting," to borrow the expressive metaphor of one of their most celebrated warriors,* "like snow before the sun;" and we should be anxious, before it is too late, to copy the evanescent features of their character, and perpetuate them on the page of history.

But when fear ceases, contempt is a natural consequence. The Indian, whose character was once so lofty and independent, is now seen begging at our doors for the price of his perdition; and, as our foot spurns the suppliant, we are apt to think, that nothing, connected with one so vile, can be worthy of our attention. But is it fair to judge from so vitiated a specimen? When a race of men are mingled with others, who consider them as inferiors, they inevitably become so. Submission to contempt, is an acknowledgment of its justice. If, therefore, the Indian would avoid degradation, he must retire from the habitations of white men; and if we wish to see him in his original character, we must follow him to his native forests. There, surely, he is worthy of our attention. The lovers of the physical sciences, explore the woods of America, to cull her plants, and to investigate the habits of her animals. Shall not the lovers of the moral sciences, be equally ardent and industrious? Shall man, who stands at the summit of earthly creation, be forgotten, amid the general scrutiny?

The sources of prejudices which I have mentioned, influence the examination of every subject, connected with the Indian character: there are peculiar difficulties, with regard to that on which I have chosen to address you.

The Indians themselves are not communicative in relation to their religion; and it requires a good deal of familiar, attentive, and, I may add, unsuspected observation, to obtain any knowledge respecting it. Hence, many who have been transiently resident among them, have very confidently pronounced, that they have no re-

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* The noted Miami Chief Mishikinakwa, or Little Turtle, who contributed most to the defeat of St. Clair. See Volney's View of the soil and climate of the United States. Supplement, No. VI. Philad. 1804, p. 385.

ligion; an assertion, which subsequent and more accurate travellers have shown to be entirely unfounded.*

Those, also, on whom we rely for information, have either been too little informed to know what to observe, or they have been influenced by peculiar modes of thinking, which have given a tinge to all they have said on the subject.

The various speculations, for example, on the question, whence America was peopled, led to many misrepresentations of the religious rites of its inhabitants; and affinities were discovered which existed no where but in the fancy of the inventor. Gomara, Lerius, and Lescarbot, inferred from some resemblances of this kind, that America was peopled by the Canaanites when they were expelled by Joshua; and the celebrated Grotius, adopting the sentiment of Martyr, imagined that Yucatan was first peopled by Ethiopians, and that those Ethiopians were Christians!†

The human mind derives pleasure from paradox, for the same reason that it delights in wit. Both produce new and surprising combinations of thought; and the judgment, being overpowered by the fervours of imagination, becomes for a time insensible to their extravagance.

It is well known, that, among the philosophers of Europe, the opinion has very generally prevailed, that the natives of America were, both as to physical and mental powers, a feeble race; and, impressed with this belief, they hardly considered the religion of the Indians as worthy of minute attention. The celebrated historian of America, has unconsciously fallen into this error, at the very moment in which he was censuring others, for suffering their relation of facts to be perverted, by an attachment to preconceived theories.‡

Volney, in opposition to the sentiments of Rousseau, has endeavoured to sink the character of the savage, in the same proportion as that eccentric author sought to raise it. On the subject of the Indian religion especially, no one should be read with greater caution. He who could imagine that Christianity was only an astro-

* See Note A.
† See Note B.
‡ See Robertson's America, book iv. ¶ vii.

nomical allegory, and that the birth of our Saviour meant no more than that the sun had entered the constellation Virgo, can hardly be considered as perfectly sane, even when he treats on the religion of Heathens.* We need not be surprised, therefore, at the assertion, that the Indians have no regular system of religion; that each one employs the liberty allowed him of making a religion for himself; and that all the worship they know is offered to the authors of evil.† Never was there an assertion more unfounded; but it enabled him to quote that maxim of the Epicurean poet, which is so frequently in the mouths of unbelievers, that all religion originated in fear:

Primos in orbe Deos fecit timor.

On the other hand, an hypothesis has somewhat extensively prevailed, which exalts the religion of the Indians as much above its proper level, as Volney has debased it below; I mean that which supposes them to be the descendants of the ten tribes of Israel. This theory so possessed the mind of Adair, that, although he had the greatest opportunities of obtaining knowledge, his book is, comparatively, of little use. We are constantly led to suspect the fidelity of his statements, because his judgment had lost its equipoise, and he saw every thing through a discoloured medium. I feel myself bound to notice this hypothesis the more, because it has lately been revived and brought before the public, by a venerable member of this Society, whose exalted character renders every opinion he may defend a subject of respectful attention.‡

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* See Les Ruines, ou Meditations sur les Revolutions des Empires, par M. Volney. *Nouvelle edition, corrigée*, Paris, 1792, 8vo. chap. 22. p. 185. 221-4. In this work, Volney had the hardihood to maintain, not only that our Saviour was an allegorical personage, but that all religions, Heathen, Mahometan, and Jewish, as well as Christian, are in substance the same; that all have arisen from a literal interpretation of the figurative language of astronomers; and that the very idea of a God, sprung from a personification of the elements, and of the physical powers of the universe. At the sight of this monstrous creation of a disordered fancy, one cannot help exclaiming with Stillingfleet, "Oh what will not Atheists believe, rather than a Deity and Providence!"

† Volney's View of the United States, ut supr. trans. by Brown, p. 416.

‡ See Dr. Boudinot's Star in the West, or an humble attempt to discover the long-lost ten tribes of Israel, preparatory to their return to their beloved city Jerusalem. Trenton, N. J. 1816. 8vo.

To the mind of every religious man, the history of the Hebrews is a subject of peculiar interest; and it is impossible to read of the extermination of the kingdom of Israel, without a feeling of compassion for the captives, who were thus torn from the land of their prerogative. The impenetrable darkness which hangs over their subsequent history, combines with this sentiment of pity, the powerful excitement of curiosity. It is not, then, to be wondered at, that when the disquisitions arose respecting the peopling of America, the idea of tracing to these western shores the long-lost tribes of Israel, should also have arisen before the eye of imagination with captivating splendour; that the thought should have been seized with avidity by men who were pious, and ardent, and contemplative; and that, in the establishment of a theory which every one could wish to be true, facts should be strained from their natural bent, and resemblances imagined, which have no existence in reality.

The most unequivocal method of tracing the origin of the aborigines of America, as Charlevoix has sensibly remarked, is to ascertain the character of their languages, and compare them with the primitive languages of the eastern hemisphere.*

But this test will, I conceive, be found very fatal to the theory in question. The best informed writers agree, that there are, exclusive of the Karalit or Esquimaux, three radical languages spoken by the Indians of North America.† Mr. Heckewelder denominates them the Iroquois, the Lenapé, and the Floridian. The Iroquois is spoken by the Six Nations, the Wyandots or Hurons, the Naudowessies, the Assiniboils, and other tribes beyond the St. Lawrence. The Lenapé, which is the most widely extended language on this side of the Missisippi, was spoken by the tribes, now extinct, who formerly inhabited Nova-Scotia and the present state of Maine, the Abenákis, Micmacs, Canibas, Openangos, Soccokis, Etchemins, and Souriquois: dialects of it

* Charlevoix's Dissertation sur l'origine des Amériquains, prefixed to his Journal d'un voyage dans l'Amer. Septent.—Hist. de la nouvelle France, tom. iii. p. 36.

† See Note C.

are now spoken by the Miamis, the Potawotamies, Missisaugoes, and Kickapoos; the Conestogos, Nanticokes, Shawanese, and Mohicans; the Algonquins, Knisteneaux, and Chippeways. The Floridian includes the languages of the Creeks or Muskohgees, Chickesaws, Chocktaws, Pascagoulas, Cherokees, Seminoles, and several others in the Southern States and Florida.* These three languages are primitive, that is to say, are so distinct as to have no perceivable affinity. All, therefore, cannot be derived from the Hebrew; for it is a contradiction in terms, to speak of three languages radically different, as derived from a common source.† Which then, we may well ask, is to be selected as the posterity of the Israelites: the Iroquois, the Lenapé, or the southern Indians?

Besides, there is one striking peculiarity in the construction of American languages, which has no counterpart in the Hebrew. Instead of the ordinary division of genders, they divide into the animate and inanimate. It is impossible to conceive that any nation, in whatever circumstances they might be placed, could depart, in so remarkable a manner, from the idioms of their native language?‡

But supposing that there were some affinity in any one of the languages of North America to the Hebrew, still it would not prove that the persons who speak it are of Hebrew descent. The Arabic and the Amharic have very strong affinities with the Hebrew: but does it thence follow that the Arabs and Abyssinians are Hebrews? Admitting, therefore, the fact of this affinity, in its fullest extent, the only legitimate inference would be, that the languages of America are of oriental derivation, and, consequently, that America was peopled from Asia.

To pursue this subject further, would occupy too much time upon a point which is merely subsidiary.§ But I cannot forbear remarking, that, while the nation

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* Transactions of the Historical and Literary Committee of the American Philosophical Society, held at Philadelphia for promoting useful knowledge Vol. i. Philad. 1819. 8vo. No. 1. An account of the history, manners, and customs, of the Indian nations who once inhabited Pennsylvania, and the neighbouring states. By the Rev. John Heckewelder, of Bethlehem. Chap. ix. p. 104.

† See Note D. ‡ See Note E. § See Note F.

of Israel has been wonderfully preserved, the Indians are nearly exterminated. The nation of Israel will hereafter be restored to the land of their forefathers; but this event must speedily arrive, or the unhappy tribes of America can have no part in it. A few years more, and they will be beyond the capability of migration!

The question, then, with regard to the immediate origin of the American Indians, must remain in the uncertainty which hangs over it. Nothing but a more extensive knowledge of the languages of this continent, of those of Northern Asia, and of the Islands in the Southern Pacific, can throw any additional light upon a problem, which has so long exercised, and so completely exhausted the ingenuity of conjecture. Their religion furnishes no assistance in the solution, for it cannot be identified with that of any particular nation, in any other portion of the globe; and though resemblances, and those very strong and striking, can be traced, yet they are such as are common to the great family of man, and prove nothing but that all have one common origin.

It will be readily seen, however, that this proof is of vast importance. If the religion of the Indians exhibits traces of that primeval religion which was of divine appointment; if the debasement of it was owing, as among all other nations, to the concurrent operation of human ignorance, weakness, and corruption; and if its rites, and even its superstitious observances, bear that analogy to those of the old world, which must exist where all have flowed from one source; then all that is really useful in the question respecting the origin of the inhabitants of this continent will be fully obtained. There will be no anomaly in the history of human nature; and the assertion of Voltaire will be found to be as false as it is flippant, that the Americans are a race entirely different from other men, and that they have sprung into existence like plants and insects.*

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* "Il n'est permis qu'à un aveugle de douter que les Blancs, les Négres, les Albinos, les Hottentots, les Lapons, les Chinois, les Américains, soient des races entièrement différentes." Voltaire Œuvres, vol. 16. p. 8.

"Au reste si l'on demande d'où sont venus les Américains, il faut aussi demander d'où sont venus les habitants des terres Australes; et l'on a déjà répondu

Previous to the dispersion of the descendants of Noah, the knowledge of the true God, of the worship which he required from his creatures, and of the sanctions with which he has enforced his commands, must have been common to all. It is impossible to conceive of any distinction where all were equally related to him, and possessed equal means of instruction and knowledge. In a word, the whole of mankind formed one universal church, having the same faith and the same worship.

How long this purity continued, we know not; nor when, nor where, idolatry was first introduced. That it began, however, at a very early period, we have the strongest evidence; for Terah, the father of Abraham, was an idolater, notwithstanding the precepts and example of Noah, both of which, for more than a hundred years, he personally enjoyed. We may account for it from that tendency in our nature which seeks to contract every thing within the compass of our understanding, and to subject it, if possible, to the scrutiny of our senses. A Being purely spiritual, omniscient, and omnipotent, is above our comprehension, and we seek, by the multiplication of subordinate deities, to account for the operations of his power. When this is done, the imagination feels itself at liberty to clothe

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que la providence qui a mis des hommes dans le Norvège, en a planté aussi en Amérique et sous le cercle polaire meridional, comme elle y a planté des arbres et fait croître de l'herbe." Ibid. p. 10.

"Se peut-il qu'on demande encore d'où sont venus les hommes qui ont peuplé l'Amérique? On doit assurément faire le même question sur les nations des Terres Australes. Elles sont beaucoup plus éloignées du port dont partit Christophe Colomb, que ne le sont les iles Antilles. On a trouvé des hommes et des animaux partout où la terre est habitable; qui les y a mis? On a déjà dit; C'est celui qui fait croître l'herbe des champs: et on ne devait pas être plus surpris de trouver en Amérique des hommes que des mouches." Ib. p. 37.

How much pains did this extraordinary man take to degrade that nature, of which he was at once the ornament and the shame! No one can read the writings of Voltaire, without a feeling of admiration at the wonderful versatility of his talents. No one can help being amused, and having his mind drawn along, by the powers of his excursive fancy. But with all this, there is, to every serious and sensitive mind, a feeling of disgust and shrinking abhorrence. By associating ludicrous images which have been hallowed by the veneration of ages, he has the address to impart to them that ridicule which properly belongs only to the company in which he has placed them. Hence, his writings have done more injury to truth, and to human happiness, than those of any other modern—perhaps I may add, of any other being. The thoughtless and the timid have been frightened out of their good principles by his caustic sarcasm, while to the rashly bold and ignorantly daring, the eyes of the judgment have been blinded by the corruscations of his wit

them with corporeal forms; and from this idea, the transition is not difficult, to the formation of idols, and the introduction of idolatry.

But notwithstanding this departure from primeval purity, the religion of mankind did not at once lose all its original brightness. It was still the form of the archangel ruined. It did not reject the worship of the true God, but seems only to have absurdly combined with it the worship of inferior divinities.

When Abraham sojourned at Gerar, the king of that country had evidently communications with the Almighty; and the testimony which God gave of the integrity of his character, and his submission to the divine admonition, clearly prove that he was a true believer.*

At a subsequent period, when Isaac lived in the same country, the king, a descendant of the former monarch, requested that a covenant of friendship should be made between them, because, as he observed, Isaac was the blessed of Jehovah.† "This," as Bishop Horsley remarks, "is the language of one who feared Jehovah, and acknowledged his providence."‡

When Joseph was brought before the King of Egypt, both speak of God as if they had the same faith, and the same trust in his overruling providence.§

Even at so late a period as when the Israelites entered Canaan, the spies of Joshua found a woman of Jericho, who confessed that "Jehovah, the God of Israel, he is God in Heaven above, and in the earth beneath."‖

The book of Job presents an interesting view of the patriarchal religion as it existed in Arabia; and, it will be remembered that, in Mesopotamia, Balaam was a prophet of the Most High.

These instances are sufficient to show how extensively the worship of the true God prevailed, and that it had not become extinct even when the children of Israel took possession of the land of promise, and became the peculiar people of Jehovah. That it was blended, however, with the worship of inferior divinities, represented

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* Gen. xx. 3, 4, 5, 6. See also xxi. 22, 23.

† Gen. xxvi. 28, 29.

‡ Horsley's Dissertation on the Prophecies of the Messiah, dispersed among the Heathen, prefixed to Nine Serm. p. 41. New-York, 1816. 8vo.

§ Gen. xli. 25. 32. 38, 39. ‖ Josh. ii. v. 11.

in idolatrous forms, is equally apparent from the sacred history.

When the servant of Abraham had disclosed to the family of Nahor the purpose of his mission, both Laban and Bethuel replied: "The thing proceedeth from Jehovah; we cannot speak unto thee bad or good."* This reply was an evidence of their faith in the true God; yet it afterwards appears that the same Laban had images which he called his gods, and which were regarded with veneration, and greatly valued by himself and his children.† Upon the occasion of Jacob's departure to Bethel, he commanded his household to "put away the strange gods that were among them." These gods must have been numerous; for it is mentioned, that "they gave unto Jacob all the strange gods which were in their hand, and he hid them under the oak by Shechem.‡ Even the chosen family, therefore, was not exempt from the infection of idolatry.

But this was idolatry in its milder form. The progress of corruption among mankind soon introduced a grosser and more malignant species. The worship of the invisible Creator was at length forgotten; His seat was usurped by fictitious deities; and a general apostacy prevailed.

> Quis nescit——qualia demens
> Ægyptus portenta colat?——
> Porrum et cæpe nefas violare, aut frangere morsu.
> O sanctas gentes, quibus hæc nascuntur in hortis
> Numina! JUVENAL. SAT. XV.§

Then it was that the Almighty was pleased to give the nations over "to a reprobate mind,"‖ and to select a peculiar people, to be a signal example of his providence, the witness of his wonders, and the guardian of

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* Gen. xxiv. 50. † Gen. xxxi. 19. 30. 32. 34, 35. ‡ Gen. xxxv. 2, 4.

§ Who knows not to what monstrous gods, my friend,
The mad inhabitants of Egypt bend?
——————'Tis dangerous here
To violate an onion, or to stain
The sanctity of leeks, with tooth profane.
O holy nations! Sacro-sanct abodes!
Where every garden propagates its gods!——GIFFORD.

‖ Rom. i. 28.

that revelation with which he sought to check the waywardness of human corruption.

I. Having thus seen that all false religions are, in a greater or less degree, departures from the true; that there is a tendency in the human mind, to form low and limited views of the Supreme Being; and that, in fact, all nations have fallen into the corruptions of polytheism and idolatry; we should conclude, even in reasoning *a priori*, that the religion of the Indians would be found to partake of the general character. Accordingly, the fact is amply attested, that while they acknowledge One Supreme Being, whom they denominate the *Great Spirit*, or *the Master of Life*, they also believe in Subordinate Divinities, who have the chief regulation of the affairs of men.

Charlevoix, who had all the opportunities of obtaining information which personal observation, and the united testimony of the French missionaries could give, is an unexceptionable witness with regard to the Hùrons, the Iroquois, and the Algonquins. Nothing, says he, is more certain, though at the same time obscure, than the conception which the American savages have of a Supreme Being. All agree that he is the Great Spirit, and that he is the master, creator, and governor of the world.* The Hurons call him Areskoui; the Iroquois, by a slight variation, Agreskoué. He is, with them, the God of war. His name they invoke as they march. It is the signal to engage, and it is the war-cry in the hottest of the battle.†

* Charlevoix, Journal, &c. let. xxiv. p. 343.

† Charlevoix, Journal, &c. let. xxiv. p. 344. "Il paroit que dans ces chansons (de guerre) on invoque le Dieu de la guerre, que les Hurons appellent *Areskoui*, et les Iroquois *Agreskoué*. Je ne sçai pas quel nom on lui donne dans les langues Algonquines. Mais n'est il pas un peu étonnant que dans le mot Grec Ἄρης, qui est le *Mars*, et le Dieu de la guerre dans tous les pays, où l'on a suivi la Théologie d'Homere, on trouve la racine d'où semblent dériver plusieurs termes de la langue Huronne et Iroquoise, qui ont rapport à la guerre? *Aregouen* signifie, faire la guerre, et se conjugue ainsi: *Garego*, je fais la guerre; *Sarego*, tu fais la guerre; *Arego*, il fait la guerre. Au reste, Areskoui n'est pas seulement le Mars de ces peuples; il est encore le Souverain des Dieux, ou, comme ils s'expriment, le Grand Esprit, le Créateur et le Maître du Monde, le Génie qui gouverne tout: mais c'est principalement pour les expéditions militaires, qu'on l'invoque, comme si la qualité, qui lui fait le plus d'honneur étoit celle de Dieu des armées. *Son nom est le cri de guerre avant le combat, et au fort de la mêlée: dans les marches même on le rèpete souvent, comme pour s'encourager, et pour implorer son assistance.*" Ibid. p. 208.

But, beside the Supreme Being, they believe in an infinite number of subaltern spirits, who are the objects of worship. These they divide into good and bad. The good spirits are called, by the Hurons, *Okkis*, by the Algonquins, *Manitous*. They suppose them to be the guardians of men, and that each has his own tutelary deity.* In fact, every thing in nature has its spirit, though all have not the same rank nor the same influence. The animals they hunt have their spirits. If they do not understand any thing, they immediately say, *It is a spirit.* If any man performs a remarkable exploit, or exhibits extraordinary talents, he is said *to be a spirit*, or, in other words, his tutelary deity is supposed to be of more than ordinary power.†

It is remarkable, however, that these tutelary deities are not supposed to take men under their protection till something has been done to merit the favour. A parent who wishes to obtain a guardian spirit for his child, first blackens his face, and then causes him to fast for several days.‡ During this time, it is expected that the spirit will reveal himself in a dream; and on this account, the child is anxiously examined every morning with regard to the visions of the preceding night. Whatever the child happens to dream of the most frequently, even if it happen to be the head of a bird, the foot of an animal, or any thing of the most worthless nature, becomes the symbol or figure under which the *Okki* reveals himself. With this figure, in the conceptions of his votary, the spirit becomes identified; the image is preserved with the greatest care—is the constant companion on all great and important occasions, and the constant object of consultation and worship.§

As soon as a child is informed what is the nature or form of his protecting deity, he is carefully instructed in the obligations he is under to do him homage—to follow his advice communicated in dreams—to deserve his favours—to confide implicitly in his care—and to dread

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* See Note G.
† Charlevoix, Journal, &c. let. xxiv. p. 345-6. [See Note H.]
‡ See Note I.
§ Charlevoix, ut supr. p. 346.

the consequences of his displeasure. For this reason, when the Huron or the Iroquois goes to battle or to the chase, the image of *his okki* is as carefully carried with him as his arms.* At night, each one places his guardian idol on the palisades surrounding the camp, with the face turned from the quarter to which the warriors, or hunters, are about to march. He then prays to it for an hour, as he does also in the morning before he continues his course. This homage performed, he lies down to rest, and sleeps in tranquillity, fully persuaded that his spirit will assume the whole duty of keeping guard, and that he has nothing to fear.†

With this account of Charlevoix, the relations which the Moravian missionaries give, not only of the Iroquois, but also of the Lenapés, or Delawares, and the numerous tribes derived from them, perfectly accord. "The prevailing opinion of all these nations is," says Loskiel, "that there is one God, or, as they call him, one great and good Spirit, who has created the heavens and the earth, and made man and every other creature." But "beside the Supreme Being, they believe in good and evil spirits, considering them as subordinate deities." "Our missionaries have not found rank polytheism, or gross idolatry, to exist among the Indians. They have, however, something which may be called an idol.‡ This is the *Manitto*, representing, in wood, the head of a man in miniature, which they always carry about them, either on a string round their neck, or in a bag. They

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* See Note K.

† "Mais ce que l'on oublieroit encore moins que les armes, et ce que l'on conserve avec le plus grand soin dont les sauvages sont capables, ce sont les *Manitous*. J'en parlerai ailleurs plus amplement: il suffit ici de dire que ce sont les symboles, sous lesquels chacun se represente son esprit familier. On les met tous dans un sac fait de Joncs, et peint de différentes couleurs; et souvent, pour faire honneur au chef, on place ce sac sur le devant de son canot. S'il y a trop de *Manitous* pour tenir dans un seul sac, on les distribue dans plusieurs, qui sont confiés à la garde du lieutenant et des anciens de chaque famille. Alors on y joint les presens, qui ont été faits pour avoir des prisonniers, *avec les langues de tous les animaux, qu'on a tués pendant la campagne, et dont on doit faire au retour un sacrifice aux esprits.*" Charlevoix, Journal, p. 223.

"On campe lontems avant le soleil couché, et pour l'ordinaire on laisse devant le camp un grand espace environné d'une palissade, ou plutôt d'une espèce de treillis, sur lequel on place *les Manitous* tournés du côté, où l'on veut aller. *On les y invoque pendant une heure, et on en fait autant tous les matins, avant que de décamper. Après cela on croit n'avoir rien à craindre, on suppose que les esprits se chargent de faire seuls la sentinelle, et toute l'armée dort tranquillement sous leur sauve-garde.*" Ibid. p. 236.

‡ See Note L.

hang it also about their children, to preserve them from illness, and ensure to them success. When they perform a solemn sacrifice, a *manitto*, or a head as large as life, is put upon a pole in the middle of the house. But they understand by the word *manitto*, every being to which an offering is made, especially all good spirits. They also look upon the elements, almost all animals, and even some plants, as spirits, one exceeding the other in dignity and power. The manittoes are also considered as tutelar spirits. Every Indian has one or more, which he conceives to be peculiarly given to assist him and make him prosper. One has, in a dream, received the sun as his tutelar spirit, another the moon; a third, an owl; a fourth, a buffalo. An Indian is dispirited, and considers himself as forsaken by God, till he has received a tutelar spirit in a dream; but those who have been thus favoured, are full of courage, and proud of their powerful ally.*

This account is corroborated by Heckewelder in his late interesting history of the Indian nations.

"It is a part of their religious belief," says he, "that there are inferior *manittoes*, to whom the great and good Being has given the rule and command over the elements; that being so great, he, like their chiefs, must have his attendants to execute his supreme behests: these subordinate spirits (something in their nature between God and man) see and report to him what is doing upon earth; they look down particularly upon the Indians, to see whether they are in need of assistance, and are ready at their call to assist and protect them against danger. Thus I have frequently witnessed Indians, on the approach of a storm or thunder gust, address the manitto of the air to avert all danger from them: I have also seen the Chippeways, on the lakes of Canada, pray to the manitto of the waters, that he might prevent the swells from rising too high, while they were passing over them. In both these instances, they expressed their acknowledgment, or showed their willingness to be grateful, by throwing tobacco in the

* Leskiel, Part I. chap. iii. p. 34, 35. 39, 40. Lond. 1794.

air, or strewing it on the waters."* "But amidst all these superstitious notions, the Supreme Manitto, the creator and preserver of heaven and earth, is the great object of their adoration. On him they rest their hopes —to him they address their prayers, and make their solemn sacrifices."†

The Knistineaux Indians, who inhabit the country extending from Labrador, across the continent, to the Highlands which divide the waters on Lake Superior from those of Hudson's Bay, appear, from Mackenzie's account, to have the same system, of one great Supreme, and innumerable subordinate deities. "The Great Master of Life," to use their own expression, "is the sacred object of their devotion. But each man carries in his medicine bag a kind of household god, which is a small carved image about eight inches long. Its first covering is of down, over which a piece of beech bark is closely tied, and the whole is enveloped in several folds of red and blue cloth. This little figure is an object of the most pious regard."‡

It is remarkable, that the description given by Peter Martyr, who was the companion of Columbus, of the worship of the inhabitants of Cuba, perfectly agrees with this account of the Northern Indians by Mackenzie. They believed in the existence of one supreme, invisible, immortal, and omnipotent Creator, whom they named *Jocahuna*, but at the same time acknowledged a plurality of subordinate deities. They had little images called Zemes, whom they looked upon as only a kind of messengers between them and the eternal, omnipotent, and invisible God. These images they considered as bodies inhabited by spirits, and oracular responses were therefore received from them as uttered by the divine command.§

The religion of Porto Rico, Jamaica, and Hispaniola, was the same as that of Cuba; for the inhabitants were

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* See Note M.

† Heckewelder, p. 205–6.

‡ Mackenzie's Voyages from Montreal, on the river St. Lawrence, through the continent of North America, to the Frozen and Pacific Oceans, in the years 1789 and 1793. Lond. 1801. 4to. p. ci. cii. 8vo. 1802. vol. i. p. 124.

§ Pet. Mart. decad i. lib. ix. apud Stillingfleet's Origines Sacræ, vol. 2. p. 360. and Edwards' West Indies, vol. i. p. 83. [See Note N.]

of the same race, and spoke the same language. The Carribean Islands, on the other hand, were inhabited by a very fierce and savage people, who were continually at war with the milder natives of Cuba and Hispaniola, and were regarded by them with the utmost terror and abhorrence. Yet "the Charaibes," to use the language of the elegant historian of the West Indies, "while they entertained an awful sense of one great Universal Cause, of a superior, wise, and invisible Being of absolute and irresistible power, admitted also the agency of subordinate divinities. They supposed that each individual person had his peculiar protector or tutelary deity; and they had their lares and penates, gods of their own creating." "Hughes, in his History of Barbadoes, mentions many fragments of Indian idols, dug up in that island, which were composed of the same materials as their earthen vessels. 'I saw the head of one,' says he, 'which alone weighed above sixty pounds. This, before it was broken off, stood upon an oval pedestal, about three feet in height. The heads of all the others were very small. These lesser idols were, in all probability, made small for the ease and conveniency of being carried with them in their several journeys, as the larger sort were perhaps designed for some stated places of worship.'"*

Thus, in this vast extent of country, from Hudson's Bay to the West Indies, including nations whose languages are radically different, nations unconnected with, and unknown to, each other, the greatest uniformity of belief prevails with regard to the Supreme Being, and the greatest harmony in their system of polytheism.—After this view, it is impossible not to remark, that there is a smaller departure from the original religion among the Indians of America, than among the more civilized nations of Egypt, Greece, and Rome. The idea of the Divine Unity is much more perfectly preserved; the subordinate divinities are kept at a much more immeasurable distance from the Great Spirit; and, above all, there has been no attempt among them to degrade to

* Edwards, vol. i. p. 48–9. and Hughes, p. 7. apud Edwards ut supr.

the likeness of men, the invisible and incomprehensible Creator of the universe. In fact, theirs is exactly that milder form of idolatry which "prevailed every where from the days of Abraham, his single family excepted," and which, after the death of that patriarch and of his son Isaac, infected, from time to time, even the chosen family itself.*

II. The belief of a future state of rewards and punishments has been kept alive among all heathen nations, by its connexion with the sensible enjoyments and sufferings, and the consequent hopes and terrors of men.

Its origin must have been in divine revelation; for it is impossible to conceive that the mind could have attained to it by its own unassisted powers. But the thought, when once communicated, would, in the shipwreck of dissolving nature, be clung to with the grasp of expiring hope. Hence no nations have yet been found, however rude and barbarous, who have not agreed in the great and general principle of retributive immortality. When, however, we descend to detail, and inquire into their peculiar notions with regard to this expected state, we find that their traditions are coloured by the nature of their earthly occupations, and the opinions they thence entertain on the subject of good and evil.

This remark is fully verified by the history of the American Indians. "The belief most firmly established among the American savages," says Charlevoix, "is that of the immortality of the soul.† They suppose, that when separated from the body, it preserves the same inclinations which it had when both were united. For this reason, they bury with the dead all that they had in use when alive. Some imagine that all men have two souls, one of which never leaves the body unless it be to inhabit another. This transmigration, however, is peculiar to the souls of those who die in infancy, and who therefore have the privilege of commencing a second life, because they enjoyed so little of the first. Hence children are buried along the highways, that the

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* Horsley's Dissertation, ut supr. p. 47. † See Note O.

women, as they pass, may receive their souls. From this idea of their remaining with the body, arises the duty of placing food upon their graves;* and mothers have been seen to draw from their bosoms that nourishment which these little creatures loved when alive, and shed it upon the earth which covered their remains."†

"When the time has arrived for the departure of those spirits which leave the body, they pass into a region which is destined to be their eternal abode, and which is therefore called the Country of Souls. This country is at a great distance toward the west, and to go thither costs them a journey of many months. They have many difficulties to surmount, and many perils to encounter. They speak of a stream in which many suffer shipwreck;—of a dog from which they, with great difficulty, defend themselves;—of a place of suffering where they expiate their faults;—of another in which the souls of those prisoners who have been tortured are again tormented, and who therefore linger on their course, to delay as long as possible the moment of their arrival. From this idea it proceeds, that after the death of these unhappy victims, for fear their souls may remain around the huts of their tormentors from the thirst of vengeance, the latter are careful to strike every place around them with a staff, and to utter such terrible cries as may oblige them to depart."‡

To be put to death as a captive, is, therefore, an exclusion from the Indian paradise; and, indeed, "the souls of all who have died a violent death, even in war, and in the service of their country, are supposed to have no intercourse in the future world with other souls.§ They therefore burn the bodies of such persons, or bury

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* Journal Historique, p. 351. [See Note P.]

† "On a vû des mères garder des années entières les cadavres de leurs enfans, et ne pouvoir s'en eloigner; et d'autres se tirer du lait de la mamelle, et le répandre sur la tombe de ces petites créatures. Si le feu prend à un village, où il y ait des corps morts, c'est la première chose qu'on met en sureté on se dépouille de ce qu'on a de plus précieux, pour en parer les défunts: de tems en tems on découvre leurs cercueils pour les changer d'habits, et l'on s'arrache les morceaux de la bouche, pour les porter sur leur sépulture, et dans les lieux, où l'on s'imagine que leurs ames se promenent." Charlevoix, Journal, ut supr. p. 372–3.

‡ Journal Historique, ut supr. p. 352. [See Note Q.]

§ How different from the opinions of the Scandinavian Nations, from whose paradise all were excluded who ignobly died in the common course of nature. None were admitted to the Hall of Odin but those who had fallen in battle.

them, sometimes before they have expired. They are never put into the common place of interment, and they have no part in that solemn ceremony which the Hurons and the Iroquois observe every ten years, and other nations every eight, of depositing all who have died during that period in a common place of sepulture."*

To have been a good hunter, brave in war, fortunate in every enterprise, and victorious over many enemies, are the only titles to enter their abode of bliss. The happiness of it consists in the never-failing supply of game and fish, an eternal spring, and an abundance of every thing which can delight the senses without the labour of procuring it."† Such are the pleasures which they anticipate who often return weary and hungry from the chase, who are often exposed to the inclemencies of a wintry sky, and who look upon all labour as an unmanly and degrading employment.

The Chepewyans live between the parallels of lat. 60 and 65 north, a region of almost perpetual snows; where the ground never thaws, and is so barren as to produce nothing but moss.‡

To them, therefore, perpetual verdure and fertility, and waters unencumbered with ice, are voluptuous images. Hence they imagine that, after death, they shall inhabit a most beautiful island in the centre of an extensive lake. On the surface of this lake they will embark in a stone canoe, and if their actions have been generally good, will be borne by a gentle current to their delightful and eternal abode. But if, on the contrary, their bad actions predominate, "the stone canoe sinks, and leaves them up to their chins in the water, to behold and regret the reward enjoyed by the good, and eternally struggling, but with unavailing endeavours, to reach the blissful island, from which they are excluded for ever."§

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* Charlevoix, Journal Hist. p. 376–7. This ceremony is called the feast of the dead, or of souls, and is described very minutely by Charlevoix, who calls it "l'action la plus singulière et la plus célèbre de toute la religion des sauvages."

† Charlev. ut supr. p. 352–3.

‡ Mackenzie, 8vo. vol. I. p. 155. 157.

§ Mackenzie, ut supr. General History of the Fur Trade, 4to. p. cxix. 8vo. vol. I. p. 145–6.

On the other hand, the Arrowauks, or natives of Cuba, Hispaniola, Porto Rico, Jamaica, and Trinidad, would naturally place their enjoyments in every thing that was opposite to the violence of a tropical climate. "They supposed, therefore, that the spirits of good men were conveyed to the pleasant valley of *Coyaba;* a place of indolent tranquillity, abounding with *guavas* and other delicious fruits, cool shades, and murmuring rivulets; in a country where drought never rages, and the hurricane is never felt."*

While these voluptuous people made the happiness of the Future State to consist in these tranquil enjoyments, their fierce enemies, the Charaibes, looked forward to a paradise, in which the brave would be attended by their wives and captives. "The degenerate and the cowardly, they doomed to everlasting banishment beyond the mountains; to unremitting labour in employments that disgrace manhood—a disgrace heightened by the greatest of all afflictions, captivity and servitude among the Arrowauks."†

Thus the ideas of the savage, with regard to the peculiar nature of future bliss or wo, are always modified by associations arising from his peculiar situation, his peculiar turn of thought, and the pains and pleasures of the senses. With regard to the question in what their happiness or misery will consist, they differ; but with regard to the existence of a future state, and that it will be a state of retribution for the deeds done in the body, they agree without exception, and their faith is bright and cloudless. "Whether you are divinities or mortal men," said an old man of Cuba to Columbus, "we know not—but if you are men, subject to mortality like ourselves, you cannot be unapprized, that after this life there is another, wherein a very different portion is allotted to good and bad men. If, therefore, you expect to die, and believe, with us, that every one is to be rewarded in a future state, according to his conduct in the present, you will do no hurt to those who do none to you."‡

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* Edwards' West Indies, vol. i. p. 73.

† Ibid. vol. i. p. 47.

‡ Herrera, lib. ii. cap. 14. and Martyr, decad. i. lib. iii. apud Edwards, vol. i. p. 72-3. See also Stillingfleet's Orig. Sac. Oxon. 1797. vol. ii. p. 357.

This relation is given us by Martyr, and it is sufficient to show, with what exactness the primitive belief has been retained. This man was a savage, but he spoke the language of the purest revelation.

III. On the belief of a God who regulates the affairs of men, and of a future state of rewards and punishments, all religion is founded; and from these principles, all religious rites are ultimately derived. But there is an obvious distinction to be made, between the tradition of doctrines, and the tradition of those outward observances with which the doctrines were originally connected. The tradition of doctrines is oral; the tradition of ceremonies is ocular. The relation of the most simple fact, as it passes from mouth to mouth, is discoloured and distorted. After a few removals from its source, it becomes so altered as hardly to have any resemblance to its first form. But it is not so with regard to actions. These are retained by the sight, the most faithful and accurate of our senses;—they are imitated;—the imitation becomes habitual;—and habits, when once formed, are with difficulty eradicated. No fact is more certain, or falls more within the experience of every attentive observer of our nature, than that of customs prevailing among nations, for which they are totally unable to account. Even among individuals, habits exist, long after the causes have ceased, to which they owed their origin. The child imitates the actions of the parent, without inquiring, in all cases, into the motives which lead to the observance; and even if informed of the motives, he may either misconceive or forget them. Here then is the difference between oral and ocular tradition. The doctrine may be lost in the current of ages, while the ceremony is transmitted unimpaired.

> Segnius irritant animos demissa per aurem
> Quam quæ sunt oculis subjecta fidelibus.
>
> Hor. A. P. 180.*

* ——————That which strikes the eye
Lives long upon the mind: The faithful sight
Engraves the image with a beam of light.

In endeavouring, therefore, to trace the affinities which a corrupt religion may bear to the pure, if we wish to be successful, we must confine ourselves to its outward observances. This remark applies with peculiar force to the religion of the Indian tribes. They have never possessed the knowledge of letters, and all their religious doctrines have been trusted to the uncertain conveyance of oral tradition. The wild and roving life of the Indian, is at variance with the reception of regular instruction; and though the parents may be very careful in relating their traditions to their children,* they must, of necessity, be confused and imperfect.

But supposing them to be ever so exact, we have no certainty that the accounts given of them by travellers are correct. The Indians, it has before been observed, are not communicative on religious subjects; and they may take pleasure in baffling, or misleading, the curiosity of white men, whom they, in general, look upon with no friendly eye. And with regard to oral traditions, there is greater room, also, for the imagination of the traveller to draw wrong conclusions, and to be influenced in his report by the power of a preconceived system. On the other hand, with regard to religious ceremonies, he has only to give a faithful relation of what he sees; and even if the force of some favourite theory leads him to mingle his comments with his description, a judicious reader is able to separate the one from the other. The application of these principles will save much labour, and give certainty to a subject, which has hitherto been considered as affording nothing but conjecture. We will proceed, then, to consider the external part of the religion of the Indians, and we shall soon see, not only that there is a great uniformity among the rites of nations who are radically different, but, if I am not mistaken, that connexion with the patriarchal religion which might naturally be supposed to exist, if the one be considered as a corruption of the other.

All who have been conversant with the worship of the American tribes, unite in the assertion, that they

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† See Heckewelder, Hist. Acc. p. 99. who mentions the great pains which the Indians take to instil good principles into the minds of their children.

offer sacrifices and oblations, both to the Great Spirit, and to the subordinate or intermediate divinities.

To all the inferior deities, whether good or malevolent, the Hurons, the Iroquois, and the Algonkins, make various kinds of offerings. "To propitiate the God of the Waters," says Charlevoix, "they cast into the streams and lakes, tobacco, and birds which they have put to death. In honour of the Sun, and also of inferior Spirits, they consume in the fire a part of every thing they use, as an acknowledgment of the power from which they have derived these possessions. On some occasions, they have been observed to make libations, invoking at the same time, in a mysterious manner, the object of their worship. These invocations they have never explained; whether it be, that they have in fact no meaning, or that the words have been transmitted by tradition, unaccompanied by their signification, or that the Indians themselves are unwilling to reveal the secret. Strings of wampum, tobacco, ears of corn, the skins, and often the whole carcasses of animals, are seen along difficult or dangerous roads, on rocks, and on the shores of rapids, as so many offerings made to the presiding spirit of the place. In these cases, dogs are the most common victims;* and are often suspended alive upon trees by the hinder feet, where they are left to die in a state of madness."†

What Charlevoix thus affirms, with regard to the Hurons, Iroquois, and Algonkins, is mentioned by Mackenzie, as practised among the Knisteneaux.— "There are stated periods," says he, "such as the spring and autumn, when they engage in very long and solemn ceremonies. On these occasions, dogs are offered as sacrifices; and those which are fat and milk white are preferred. They also make large offerings of their property, whatever it may be. The scene of these ceremonies, is in an open enclosure, on the bank of a river or lake, and in the most conspicuous situation, in order that such as are passing along, or travelling, may be induced to make their offerings. There is also a particular custom among them, that on these occasions, if any

* See Note R. † Charlevoix, Journal, p. 317-8.

of the tribe, or even a stranger, should be passing by, and be in real want of any thing that is displayed as an offering, he has a right to take it, so that he replaces it with some article he can spare, though it be of far inferior value; but to take or touch any thing wantonly, is considered as a sacrilegious act, and highly insulting to the *Great Master of Life*, who is the sacred object of their devotion." At the feasts made by their chiefs, he farther observes, "a small quantity of meat or drink is sacrificed before they begin to eat, by throwing it into the fire, or on the earth."*

A similar account is given by Adair of the practice among the Creeks, Katábahs, Cherokees, Choctaws, and other southern Indians. "The Indian women," says he, "always throw a small piece of the fattest of the meat into the fire, when they are eating, and frequently before they begin to eat. They pretend to draw omens from it, and firmly believe that it is the mean of obtaining temporal blessings, and averting temporal evils. The men, both in their summer and winter hunt, sacrifice in the woods a large fat piece of the first buck they kill, and frequently the whole carcass. This they offer up, either as a thanksgiving for the recovery of health, and for their former success in hunting, or that the Divine care and goodness may still be continued to them."†

The song of the Lenapé warriors, as they go out to meet their enemy, concludes with the promise of a victim if they return in safety.

O! Thou Great Spirit above!
* * * * * * * * *
Give me strength and courage to meet my enemy;
Suffer me to return again to my children,
To my wife,
And to my relations!
Take pity on me and preserve my life,
And I will make to thee a sacrifice.

Accordingly, "after a successful war," says Heckewelder, "they never fail to offer up a sacrifice to the

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* Gen. Hist. of Fur Trade, 4to. p. c. ci. cii. civ. 8vo. vol. i. p. 123–4. 128.
† Adair, Hist. of North American Indians, p. 115. 117.

Great Being, to return him thanks for having given them courage and strength to destroy or conquer their enemies."*

Loskiel, who has given a minute account of the sacrifices offered by the Lenapé or Delawares, and who is said by Heckewelder to have almost exhausted the subject, affirms that they are offered upon all occasions, the most trivial, as well as the most important. "They sacrifice to a hare," says he, "because, according to report, the first ancestor of the Indian tribes had that name.† To indian corn, they sacrifice bear's flesh, but to deer and bears, indian corn; to the fishes, small pieces of bread in the shape of fishes; but they positively deny, that they pay adoration to these subordinate good spirits, and affirm, that they only worship the true God, through them: for God, say they, does not require men to pay offerings or adoration immediately to him. He has, therefore, made known his will in dreams, notifying to them, what beings they have to consider as *Manittoes*, and what offerings to make to them."‡—"When a boy dreams, that he sees a large bird of prey, of the size of a man, flying toward him from the North, and saying to him, 'Roast some meat for me,' the boy is then bound to sacrifice the first deer or bear he shoots to this bird. The sacrifice is appointed by an old man, who fixes on the day and place in which it is to be performed. Three days previous to it, messengers are sent to invite the guests. These assemble in some lonely place, in a house large enough to contain three fires. At the middle fire, the old man performs the sacrifice. Having sent for twelve straight and supple sticks, he fastens them into the ground, so as to enclose a circular spot, covering them with blankets. He then rolls twelve red-hot stones into the enclosure, each of which is dedicated to one God in particular. The largest belongs, as they say, to the great God in Heaven; the second, to the sun, or the God of the day; the third, to the

* Heckewelder, Hist. Acc. of Ind. p. 204. 207. [See Note S.]

† This may account for the following statement by Charlevoix: "Presque toutes les Nations Algonquines ont donné le nom de *grand Liévre* au premier Esprit. Quelques uns l'appellant *Michabou*; d'autres *Atahocan*." Journal, p. 344.

‡ Loskiel, p. 40.

night sun, or the moon; the fourth, to the earth; the fifth to the fire; the sixth, to the water; the seventh, to the dwelling or House-God; the eighth, to indian corn; the ninth, to the west; the tenth, to the south; the eleventh, to the east; and the twelfth, to the north. The old man then takes a rattle, containing some grains of indian corn, and leading the boy, for whom the sacrifice is made, into the enclosure, throws a handful of tobacco upon the red-hot stones, and as the smoke ascends, rattles his calabash, calling each God by name, and saying, 'This boy (naming him) offers unto thee a fine fat deer and a delicious dish of sapaan! Have mercy upon him, and grant good luck to him and his family.'"*

All the inhabitants of the West Indies offered sacrifices; and of these, the Charaibes were accustomed, at the funerals of their friends, to offer some of the captives who had been taken in battle.† I scarcely need advert to the well-known fact, that human sacrifices were offered by the Mexicans. Of these, all the Spanish historians have given the most horrible and disgusting account, and they are described more especially by Bernal Diaz, who was an eye witness, with the most artless and affecting simplicity. Of this practice, however, there are no traces among the present Indian tribes, unless the tormenting of their captives, as Charlevoix seems to intimate, be considered as a sacrifice to the God of war.‡

That the practice of sacrifice, as an expiation for sin, formed a prominent feature in the religion of all the nations of the old world, is a truth too well known to require proof. That it formed a part of the patriarchal religion, is equally evident; and that it must have been of divine institution, will, I think, be admitted, after a very little reflection. The earliest instance of worship,

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* Loskiel, part i. cap. iii. p. 42-3.

† Edwards's West Indies, p. 47. 51.

‡ "Il semble que ce soit des victimes qu'on engraisse pour le sacrifice, et ils sont effectivement immolés au Dieu de la Guerre: la seule difference qu'on met entre ceux et les autres, (the adopted prisoners,) c'est qu'on leur noircit entièrement le visage." Journal Hist. p. 246.

recorded in the Holy Scriptures, is the sacrifice offered by Cain and Abel, at a period when no permission had yet been given to eat animal food, and no pretext could have possibly presented itself to the mind of man for taking the life of any of the creatures of God. It is equally inconceivable, that, by any deduction of unassisted reason, the mind could have arrived at the conclusion, that to destroy a part of creation, could be acceptable to the Creator; much less, that it could be viewed as an act of homage. The difficulty is still greater, when it is considered that this was intended as an expiation for the sins of the offerer. How could the shedding of the blood of an animal be looked upon as an atonement for the offences which man had committed against his Maker? This would have been to make an act at which nature would once have involuntarily shuddered, the expiation of another act which might not in itself be so hurtful or so barbarous.

This reasoning is further strengthened by the next instance of worship recorded in the Bible. When Noah had descended from the ark, the first act of a religious nature which he performed, was to build an altar and to offer sacrifice. Human reason would have dictated a course of conduct directly opposite; for it would have told him not to diminish the scanty remnant of life; especially when the earth was already covered with the victims which had perished in the mighty waste of waters.

But if of divine institution, the question then arises, what was the reason of the institution? Every intelligent being proposes to himself some end—some design to be accomplished by his actions. What, then, with reverence let it be asked, was the design of God?

To the Christian the solution of this inquiry is not difficult. He has learned, that in the secret counsels of almighty wisdom, the death of the Messiah was essential for the salvation of man; that in his death the first of our race was as much interested as he will be, who will listen to the last stroke of departing time; that it was necessary, therefore, to establish a representation of this great event as a sign of the future blessing, in order to keep alive the hopes and the expectations of men;

and that this was effected by the slaughter of an innocent animal, whose life was in the blood, and whose blood poured out was a symbol of His death, who offered himself a ransom for the sins of men.

Assuming this as the origin and intent of sacrifice, it is easy to account for its universal prevalence among mankind. Noah, as we have seen, offered a burnt offering immediately after he left the ark. From him, and his three sons, did their posterity derive the practice; and we find from the Scriptures, that it prevailed among all the nations, which, from their connexion with the family of Israel, are there incidentally mentioned.

If we turn to profane history, we cannot open a volume without meeting every where the record of sacrifice. The Phenicians, the Ethiopians, the Egyptians, the Chinese, the Persians, the nations in the north of Europe and Asia, the Carthaginians, the Greeks, the Romans, the inhabitants of Gaul and Britain—in a word, every heathen nation, of which we have any records remaining, constantly offered sacrifice as an expiation for sin. The gradual corruption of the true religion, while it caused the origin of the rite to be forgotten, made no other alteration in the practice than such as regarded the quality of the victim. Human reason must, at all times, have perceived, how inadequate was the slaughter of animals to atone for the sins of mankind. A nobler victim seemed to be demanded; and it was not to be wondered at, that the blood of men, and even of children, as approaching nearer to innocence, should finally be considered as essential to obtain the grant of pardon.*

To find the same practice prevailing among all the Indian tribes of America, a practice deriving its origin, not from any dictate of nature, or from the deductions of reason, but resting solely upon the positive institution of God, affords the most triumphant evidence that they sprang from the common parent of mankind, and that their religion, like that of all other heathen nations, is derived by a gradual deterioration from that of Noah. At the same time, it will be seen, that they are far from

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* See Note T.

having sunk into the lowest round on the scale of corruption. With the exception of the Mexicans, their religious rites have a character of mildness which we should elsewhere seek in vain.

IV. Having seen that sacrifice is practised among the Indians, we are naturally led to consider the question, whether they have among them a priesthood; and, on this point, the testimony of travellers is somewhat discordant. Mackenzie mentions that the Chepewyans have high priests;* yet he describes the public sacrifices of the Knisteneaux, as offered by their chiefs, and the private, by every man in his own cabin, assisted by his most intimate friend.† Charlevoix says, that among the Indians of whom he writes, in public ceremonies, the chiefs are the priests; in private, the father of each family, or where there is none, the most considerable person in the cabin. An aged missionary, he says, who lived among the Ottáwas, stated, that with them an old man performed the office of priest."‡ Loskiel says of the Lenapé, or Delaware Indians, that "they have neither priests regularly appointed, nor temples. At general and solemn sacrifices, the oldest men perform the offices of priests; but in private parties, each man bringing a sacrifice is priest himself. Instead of a temple, a large dwelling-house is fitted up for the purpose." He afterwards speaks of the place of offering, under the name of "the house of sacrifice," and mentions it as being "in a lonely place."§

On the other hand, Bartram, in his account of the Southern tribes, says, "There is in every town, or

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* Mackenzie, 8vo. vol. i. p. 153. "There are conjurors and high priests, but I was not present at any of their ceremonies."

† Ibid. p. 124. 128-9.

‡ "Si l'on peut donner le nom de sacrifices aux offrandes, que ces peuples font à leurs divinités, *les prêtres parmi eux ne sont jamais les jongleurs:* dans les cérémonies publiques, ce sont les chefs, et dans le domestique, ce sont ordinairement les pères de famille, où à leur défaut les plus considérable de la cabanne." Journal Hist. p. 364.

"Un ancien Missionaire (le père Claude Allouez, jésuite) qui a beaucoup vécu avec les Outaouais a écrit que, parmi ces sauvages, un vieillard fait l'office de prêtre dans les festins, dont je viens de parler; qu'il commence par remercier les esprits du succès de la chasse; qu'ensuite un autre prend un pain de petun, le rompt en deux, et le jette dans le feu." Ibid. p. 350.

§ Loskiel, p. 39, 40, 42. ad calc. A house of sacrifice is only another name for temple.

tribe, a high priest, with several inferior or junior priests, called by the white people jugglers, or conjurors."* To the same purpose, Adair asserts, that they "have their high priests, and others of a religious order." "Ishtohoollo," he observes, "is the name of all their priestly order, and their pontifical office descends by inheritance to the eldest."†

Notwithstanding this diversity, however, the difference is more in appearance than reality. Various meanings attached to the same words, in consequence of arbitrary associations, may produce a diversity of description. If a priest be one whose exclusive duty it is to celebrate the rites of religion, then it must be admitted that a priesthood exists among the Indians; for those who deny that they have priests, allow that in their public sacrifices the chiefs are the only persons authorized to officiate. The only difference, then, lies in this, whether the priesthood be or be not connected with the office of the magistrate.

Among Christians, as among the Jews, the priesthood is distinct from the civil authority; but previous to the separation of the family of Aaron, these two offices were generally united. Melchisedek was both king of Salem and priest of the Most High God. Jethro was, at the same time, priest and prince of Midian; and Abraham himself, who is called a prince, performed the sacerdotal functions. We find this union of the regal and sacerdotal characters existing among heathen nations. Homer describes the aged Pylian King as performing religious rites;‡ and Virgil tells of the Monarch of Delos, who was both priest and king:

"Rex Anius, rex idem hominum Phœbique sacerdos."§

Among the Creeks, and other Southern Indians, a monarchical form of government seems to prevail; among the Northern Indians, a republican. In both, the sacerdotal office may be united with civil authority,

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* Bartram, Travels through North and South Carolina, Georgia, East and West Florida, &c. Lond. 1792. 8vo. p. 495.

† Adair, Hist. North American Indians, p. 80, 81.

‡ Odyssey, lib. iii. l. 418-460.

§ Æneid. lib. iii. l. 80.

and therefore partake of its peculiar character. Among the one, it may be hereditary; among the other, elective. If this be not sufficient to reconcile the discordant accounts, we are bound, I think, to respect the united testimony of Charlevoix and Loskiel, in preference to any other, as they do not appear to have had any system to serve, which might give a bias to their statements. And if this be so, it will be seen that the religion of the Indians approaches much nearer to the patriarchal, than to that of the Jews. Their public sacerdotal offices are performed by their chiefs, and in their private, the head of every family is its priest.

V. But there is another office, which Carver, Bartram, and others, have confounded with the priesthood, which exists among all the Indian Tribes, and concerning which, there is no diversity in the statement of travellers. To this class of men, the French missionaries gave the name of *Jongleurs*, whence the English have derived that of Jugglers or Conjurors.* To use the definition of Charlevoix, they are those servants of their gods, whose duty it is to announce their wishes, and to be their interpreters to men:† or, in the language of Volney, those "whose trade it is, to expound dreams, and to negotiate between the Manitto and the votary."‡ "The Jongleurs of Canada," says Charlevoix, "boast that by means of the good spirits whom they consult, they learn what is passing in the most remote countries, and what is to come to pass at the most distant period of time; that they discover the origin and nature of the most secret disorders, and obtain the hidden method of curing them; that they discern the course to be pursued in the most intricate affairs; that they learn to explain the obscurest dreams, to give success to the most difficult negotiations, and to render the gods propitious to warriors and hunters." "I have heard," he adds, "from

* See Note U.

† "Ils (the Jongleurs) ne sont néansmoins les ministres de ces Dieux prétendus, que pour annoncer aux hommes leurs volontés, et pour être leurs interprétes: car, si l'on peut donner le nom de sacrifices aux offrandes que ces peuples font à leurs Divinités, *les prêtres parmi eux ne sont jamais les Jongleurs.* Journal Hist. p. 363–4.

‡ View of the soil and climate, &c. p. 417.

persons of the most undoubted judgment and veracity, that when these impostors shut themselves up in their sweating stoves, which is one of their most common preparations for the performance of their sleight of hand, they differ in no respect from the descriptions given by the poets, of the priestesses of Apollo, when seated on the Delphic Tripod. They have been seen to fall into convulsions, to assume tones of voice, and to perform actions, which were seemingly superior to human strength, and which inspired with an unconquerable terror, even the most prejudiced spectators." Their predictions were sometimes so surprisingly verified, that Charlevoix seems firmly to have believed, that they had a real intercourse with the father of lies.*

This account of the Jongleurs of Canada, is confirmed by Mr. Heckewelder, in his late work on the Indian Tribes. "They are a set," he observes, "of professional impostors, who, availing themselves of the superstitious prejudices of the people, acquire the name and reputation of men of superior knowledge, and possessed of supernatural powers. As the Indians in general believe in witchcraft, and ascribe to the arts of sorcerers many of the disorders with which they are afflicted in the regular course of nature, this class of men has arisen among them, who pretend to be skilled in a certain occult science, by means of which they are able, not only to cure natural diseases, but to counteract or destroy the enchantments of wizards or witches, and expel evil spirits."†

"There are jugglers of another kind, in general old men and women—who get their living by pretending to supernatural knowledge—to bring down rain when wanted, and to impart good luck to bad hunters. In the summer of 1799, a most uncommon drought happened in the Muskingum country. An old man was applied to by the women to bring down rain, and, after various ceremonies, declared that they should have rain enough. The sky had been clear for nearly five weeks, and was equally clear when the Indian made this de-

* Charlevoix, Journal, p. 361–2.
† Heckewelder, Hist. Account, ut supr. p. 224.

claration. But about four in the afternoon, the horizon became overcast, and, without any thunder or wind, it began to rain, and continued to do so till the ground became thoroughly soaked. Experience had doubtless taught him to observe, that certain signs in the sky or in the water were the forerunners of rain; yet the credulous multitude did not fail to ascribe it to his supernatural power."* "It is incredible to what a degree the superstitious belief in witchcraft operates on the mind of the Indian. The moment his imagination is struck with the idea that he is bewitched, he is no longer himself. Of this extraordinary power of their conjurors, of the causes which produce it, and the manner in which it is acquired, they have not a very definite idea. The sorcerer, they think, makes use of some deadening substance, which he conveys to the person he means to 'strike,' in a manner which they can neither understand nor describe. The person thus 'stricken,' is immediately seized with an unaccountable terror. His spirits sink, his appetite fails, he is disturbed in his sleep, he pines and wastes away, or a fit of sickness seizes him, and he dies at last, a miserable victim to the workings of his own imagination."†

A remarkable instance of this belief in the power of these sorcerers, and of the wonderful effects of imagination, is related by Hearne, as having occurred during his residence among the northern or Chepewyan Indians. Matonabbee, one of their chiefs, had requested him to kill one of his enemies, who was at that time several hundred miles distant. "To please this great man," says he, "and not expecting that any harm could possibly arise from it, I drew a rough sketch of two human figures on a piece of paper, in the attitude of wrestling; in the hand of one of them I drew the figure of a bayonet, pointing to the breast of the other. 'This,' said I to Matonabbee, pointing to the figure which was holding the bayonet, 'is I, and the other is your enemy.' Opposite to those figures I drew a pine

* Heckewelder, Hist. Acc. of Indians, ut supr. p. 229–231.
† Ibid. p. 232–3.

tree, over which I placed a large human eye, and out of the tree projected a human hand. This paper I gave to Matonabbee, with instructions to make it as public as possible. The following year, when he came to trade, he informed me that the man was dead. Matonabbee assured me, that the man was in perfect health when he heard of my design against him, but almost immediately afterward became quite gloomy, and, refusing all kinds of sustenance, in a very few days died."*

Bartram, in his account of the manners and habits of the tribes which inhabit Florida and the south of the United States, relates, as their general belief, that "their seer has communion with powerful invisible spirits, who have a share in the government of human affairs, as well as of the elements. His influence is so great, as frequently to turn back an army when within a day's journey of their enemy, after a march of several hundred miles." "Indeed," he adds, "the predictions of these men have surprised many people. They foretel rain or drought, pretend to bring rain at pleasure, cure diseases, exercise witchcraft, invoke or expel evil spirits, and even assume the power of directing thunder and lightning."†

The power, then, of these impostors, is supposed to consist—in the miraculous cure of diseases—the procuring of rain, and other temporal blessings, in the same supernatural manner—the miraculous infliction of punishment upon the subjects of their displeasure—and the foretelling of future events. It will immediately be seen, that these are, in fact, the characteristics of the prophetic office; those, I mean, which are external, which produce, therefore, a lasting impression upon the senses of men, and, from the force of ocular tradition, would naturally be pretended to, even after the power of God was withdrawn.

That true prophets had such power, is evident from the whole tenour of Sacred History. On their power of predicting future events, it is not necessary to dwell;

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* Hearne, Journey to the Northern Ocean. Dublin, 1796, 8vo. p. 221. Note.
† Bartram. Travels, ut supr. p. 493.

but it will be seen, that there is a striking analogy between the pretensions of the Indian impostors, and the miracles wrought by the prophets. We have seen, that the former assume the power of curing or inflicting diseases by supernatural means. We find the prophets curing or inflicting the most inveterate diseases, by a word, by a touch, by washing, and other means naturally the most inadequate.* We have seen that the Indian impostors pretend to foretel drought or rain. So, Elijah the Tishbite said to Ahab, "As the Lord God of Israel liveth, before whom I stand, there shall not be dew nor rain these years, but according to my word."† And again, the same prophet, when there was no appearance of change in the heavens, said to the king, "Get thee up, eat and drink; for there is a sound of abundance of rain."‡ We have seen, that among the Indians, the conjurors pretend to inflict punishment on their enemies by supernatural means. So we read of a true prophet, that he commanded fire to descend from heaven and consume the soldiers who were sent by the king of Israel to take him.§

But I wish to direct your attention more especially to a very early period of Sacred History, while the Gentiles had not yet entirely apostatized from the worship of the true God, and therefore were not yet wholly cut off from the patriarchal church. In the history of Abraham and Abimelech, we have an instance of the power which prophets possessed of obtaining blessings for others.—"Now, therefore," said God to Abimelech, "restore the man his wife: *for he is a prophet, and he shall pray for thee, and thou shalt live.*"‖ The same power is attributed to Job, who was probably a descendant of Esau; consequently, not one of the chosen family; and, therefore, a prophet among the Gentiles. "The Lord said to Eliphaz the Temanite, My wrath is kindled against

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* Thus Naaman was cured of his leprosy by Elisha, and the same disease inflicted by the prophet on his servant Gehazi. 2 Kings, v.

† 1 Kings, xvii. 1.

‡ 1 Kings, xviii. 41.

§ 2 Kings, i. 10. 12

‖ Gen. xx. 7.

thee and against thy two friends. Therefore take unto you now seven bullocks and seven rams, and go to my servant Job, and offer up for yourselves a burnt-offering, and my servant Job shall pray for you, for him will I accept: lest I deal with you after your folly."*

Traces of the same power are to be found in the history of Balaam, the prophet of Midian. When the Israelites, on their passage from Egypt, were passing through the country of Moab, the king of the Moabites, alarmed for his personal safety, sent for the prophet to curse them. "Come now, therefore, I pray thee, curse me this people, for they are too mighty for me; peradventure, I shall prevail, that we may smite them, and that I may drive them out of the land: *for I wot, that he whom thou blessest is blessed, and he whom thou cursest is cursed.* And the elders of Moab, and the elders of Midian, departed *with the rewards of divination in their hand;* and they came unto Balaam, and spake unto him the words of Balak. And he said unto them, lodge here this night, and I will bring you word again, as Jehovah shall speak unto me. And God said unto Balaam, thou shalt not go with them; thou shalt not curse the people, for they are blessed."† Here is not only a proof of the power ascribed to the prophet by the nations among whom he dwelt, but a recognition, by God himself, of the authority of Balaam to bless and curse in his name. And here, if I mistake not, we may observe the connecting link between the power of true prophets, and the arts practised by the false, after the divine influence was withdrawn. The elders of Moab and of Midian, it is said, "departed *with the rewards of divination* in their hand." The inference is inevitable, that Balaam, who undoubtedly had intercourse with the true God, was at times deprived of the divine influence, and that under a sense of that deprivation, he had recourse to the arts of divination. Of this there is farther evidence. "Surely," he exclaims, in one of his sublime prophecies, "there is no enchantment against Jacob,

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* Job. xlii. 7, 8.

† Numb. xxii. 6, 7, 8, 12.

neither is there any divination against Israel." And it is subsequently stated, that "when Balaam saw that it pleased the Lord to bless Israel, he went not, as at other times, to seek for enchantments."* When he could not obtain authority from God to curse Israel, he had recourse, in the depravity of his heart, to these unhallowed incantations; but finding that it was in vain to contend with the determination of the Almighty, he resigned himself at length to the divine influence, and converted his intended curse into a blessing. "How goodly are thy tents, O Jacob; and thy tabernacles, O Israel! Blessed is he that blesseth thee, and cursed is he that curseth thee."†

In proportion, then, as idolatry increased, the prophetic spirit in the patriarchal church was gradually withdrawn. While the true God was worshipped, even though in absurd connexion with idols, the divine influence was sometimes communicated. But being gradually more and more frequently denied, the prophets had recourse to the superstitious observances of divination and judicial astrology. And as idolatry, in its downward course, at length lost sight of the Creator, and worshipped only the creatures, so the prophetic office degenerated into the arts by which impostors preyed upon the superstition of the ignorant.

I have now, gentlemen, finished the view which I proposed to take of the Religion of the Indians. I am sensible that it is very imperfect; but enough has been said, I hope, to show the analogy which it bears to the religion of the patriarchal ages, and its wonderful uniformity, when considered as prevailing among nations so remote and unconnected.

It has already been observed, however, that their religious system can afford no clue by which to trace them to any particular nation of the old world. On a subject so obscure as the origin of nations, there is great danger of expatiating in conjectures. In fact, the view here taken, in some measure, cuts off these conjectures, by

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* Numb. xxiv. 1. † Ibid. 5. 9.

tracing the Aborigines of America to a higher source than has usually been assigned to them. If the opinion I have advanced be true, it will, I think, appear rational to believe, that the Indians are a primitive people;—that, like the Chinese, they must have been among the earliest emigrants of the descendants of Noah;—that, like that singular nation, they advanced so far beyond the circle of hu nan society, as to become entirely separated from all other men;—and that, in this way, they preserved a more distinct and homogeneous character than is to be found in any other portion of the globe. Whether they came immediately to this western continent, or whether they arrived here by gradual progression, can never be ascertained, and is, in fact, an inquiry of little moment. It is probable, however, that, like the Northern hordes who descended upon Europe, and who constituted the basis of its present population, their numbers were great; and that from one vast reservoir, they flowed onward in successive surges, wave impelling wave, till they had covered the whole extent of this vast continent. At least, this hypothesis may account for the uniform character of their religion, and for the singular fact which has lately been illustrated by a learned member of the American Philosophical Society, that their languages form a separate class in human speech, and that, in their plans of thought, the same system extends from the coasts of Labrador to the extremity of Cape Horn.*

But, turning from speculations which are rendered sublime by their shadowy form, and immeasurable magnitude, I shall conclude a discourse which, I fear, has become already tedious, by remarks of a more practical, and. I would hope, of a more useful nature.

We have seen that, like all other nations unblessed with the light of Christianity, the Indians are idolaters; but their idolatry is of the mildest character, and has departed less than among any other people from the form of primeval truth. Their belief in a future state

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* See Note W.

is clear and distinct, debased only by those corporeal associations which proceed from the constitutional operations of our nature, and from which even Christians, therefore, are not totally exempt—They retain among them the great principle of expiation for sin, without which all religion would be unavailing—And they acknowledge, in all the common occurrences of life, and even in their very superstitions, the overruling power of Divine Providence, to which they are accustomed to look up with an implicit confidence, which might often put to shame the disciples of a purer faith.

Provided, then, that their suspicions respecting every gift bestowed by the hands of white men, can be overcome, the comparative purity of their religion renders it so much the easier to propagate among them the Gospel of Salvation.* In this view, is it possible for the benevolent heart to restrain the rising wish, that the scanty remnant of this unfortunate race may be brought within the verge of civilized life, and made to feel the influence, the cheering and benign influence, of Christianity? Is it not to be wished, that the God whom they ignorantly worship, may be declared to them, and that, together with the practices they have so long preserved, may be united that doctrine which alone can illumine what is obscure, and unravel what is intricate? If this be desirable, it must be done quickly, or the opportunity will be for ever lost. Should our prejudices prevent it, we must remember that their faults will be obscured, and their virtues brightened, by the tints of time. Posterity will think of them, more in pity than in anger, and will blame us for the little regard which has been paid to their welfare.

Hapless nations!—Like the mists which are exhaled by the scorching radiance of your summer's sun, ye are fast disappearing from the earth. But there is a Great Spirit above, who, though for wise purposes he causes you to disappear from the earth, still extends his protect-

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* See Note X.

ing care to you, as well as to the rest of his creatures.—There is a country of Souls, a happier, and better country, which will be opened, we may charitably hope, to you, as well as to the other children of Adam.—There is the atoning blood of the Redeemer, which was shed for you, as well as the rest of mankind; the efficacy of which, you have unwittingly continued to plead; and which may be extended, in its salutary influence, even to those who have never called on, because they have never heard, THE NAME OF THE SON OF GOD.

NOTES AND ILLUSTRATIONS.

NOTE A.

Thus, Hearne says, "Religion has not as yet begun to dawn among the Northern Indians—I never found any of them that had the least idea of futurity." "Matonabbee, a man of as clear ideas in other matters as any that I ever saw, always declared to me, that neither he, nor any of his countrymen, had an idea of a future state." Journey to the Northern Ocean. Dublin, 1696, 8vo. p. 343—4. Yet Mackenzie affirms, that they believe in a future state of rewards and punishments, and gives a very particular account of their belief. "They are," he says, "superstitious in the extreme. I never observed that they had any particular form of religious worship; but as they believe in a good and evil spirit, and a state of future rewards and punishments, they cannot be devoid of religious impressions. At the same time, *they manifest a decided unwillingness to make any communications on the subject.*" This last fact will account for the declaration of Matonabbee; and also for the concealment of their forms of worship from the view of Mackenzie. Mackenzie, Gen. Hist. 8vo. vol. 1. p. 145. 156. Mackenzie corrects several other erroneous statements made by Hearne.

Colden, speaking of the five nations, says: "It is certain they have no kind of public worship, and I am told they have no radical word to express God, but use a compound word, signifying the Preserver, Sustainer, or Master of the Universe; neither could I ever learn what sentiments they have of future existence." Colden, Introduction to Hist. of Five Indian Nations of Canada, p. 15. On the other hand, Charlevoix assures us, that "parmi ces peuples, qu'on a prétendu n'avoir aucune idée de religion, ni de Divinité, presque tout paroît l'objet d'un culte religieux, ou du moins y avoir quelque rapport." Journal, p. 348. And Heckewelder affirms, that "Habitual devotion to the Great First Cause, and a strong feeling of gratitude for the benefits which He confers, is one of the prominent traits which characterize the mind of the untutored Indian." Hist. Acc. p. 84. "Another difficulty I had to encounter," says Adair, "*was the secrecy and closeness of the Indians as to their own affairs*, and their prying into those of others." Adair, N. Am. Indians, preface. The testimony of so respectable a writer as Colden would have great weight, if he had spoken from his own personal knowledge; but he confessedly derived his opinions of the Indian character from the testimony of others. What he has said,

therefore, cannot avail against the united testimony of Charlevoix, Adair, and Heckewelder.

NOTE B.

"Gomara et Jean De Lery font descendre tous les Amériquains des Cananéens chassé de la terre promise par Josué."—Charlevoix, Dissertation sur l'origine des Amériquains, prefixed to his Journal d'un Voyage, &c. Histoire de la Nouvelle France, tom. 3. p. 4. Paris, 1744, 4to.

"Lescarbot panche un peu plus vers le sentiment de ceux qui ont transporté dans le Nouveau Monde les Cananéens chassés de la terre promise par Josué. Il y trouve au moins quelque vrais semblance en ce que ces peuples, aussi bien que les Amériquains, avoient la coûtume de faire sauter leurs enfans par-dessus le feu, en invoquant leurs idoles, et de manger la chair humaine." Ibid. p. 10.

"En 1642, Grotius publia un petit ouvrage *in-quarto* sous ce titre: *De origine gentium Americanarum.*—Si on en croit le docte Hollandois, à l'exception de l'Yucatan, et de quelques autres provinces voisines, dont il fait une classe à part tout l'Amérique Septentrionnale à été peuplé par les Norvégiens.—Ce qui l'oblige de mettre à part l'Yucatan, c'est l'usage de la Circoncision, dont il s'est mis dans la tête qu'on a trouvé des traces dans cette province, et une prétendue tradition ancienne des habitans, qui portoit, que leurs ancêtres avoient été sauvés des flots de la mer; ce qui a fait croire à quelques-uns, ajoûte-t-il, qu'ils étoient issus des Hébreux. Il réfute néansmoins cette opinion, avec les mêmes argumens à peu près dont s'est servi Breverood, (Breerwood,) et il estime, avec Dom Pierre Martyr d'Anglerie, que les premiers qui peuplèrent l'Yucatan, furent des Ethiopiens jettés sur cette côte par une tempête, ou par quelque autre accident. Il juge même que ces Ethiopiens étoient Chrétiens, ce qu'il infere d'une espéce de Baptême usité dans le pays."—Ibid. p. 12, 13.

In this dissertation, Charlevoix has given a very judicious and interesting summary of the several theories, which had been formed at the time he wrote, respecting the peopling of America. As the writings of their respective authors are mentioned in chronological order, it may be called, in fact, the annals of these opinions, up to the date of his work: (1744.) In contemplating their extravagance and inconsistency, we scarcely know whether to smile or to mourn most, at these results of learned imagination.

In 1767, was published, at Amsterdam, a French work, entitled, "Essai sur cette question, quand et comment l'Amérique a-t-elle été peuplée d'hommes et d'animaux? par E. B. d'E." The author professes respect for religion; but he is either an infidel in disguise, or a very sorry Christian; and he has a smattering of learning, just extensive and superficial enough to intoxicate the brain. He maintains, that the deluge was of a very limited extent; that the Chinese and

the Scythians are the descendants of Abel; that the Egyptians and Ethiopians are the posterity of Cain; that the Negro complexion was the stigma of his punishment; that the Greeks, Thracians, Celts, and ancient inhabitants of Italy, were Antediluvians; and hence, he concludes, that the Aborigines of America are derived from as high an origin. For the establishment of this theory, which occupies a quarto volume of 600 pages, he has formed a vas pparatus of astronomy and geology, of history and philology, in which the wrecks of every thing that had been considered by the learned as established, and no longer controvertible, appear "nantes in gurgite vasto."

In 1810, the excellently learned professor Vater published at Leipzig his "Inquiry on the origin of the American population," in which he minutely considers every hypothesis that has ever been formed or maintained on this interesting subject. It will doubtless give pleasure to the public, to be informed, that Mr. Duponceau is now engaged in translating this valuable work, which is undoubtedly the best that has ever been written on the subject.

NOTE C.

I have excluded the Karalit, because it is generally admitted, that the Esquimaux derive their origin from Groenland, and are a distinct race from all the other inhabitants of this continent. "In all the North American territories," says Heckewelder, "bounded to the North and East by the Atlantic ocean, and to the South and West by the river Missisippi, and the possessions of the English Hudson's Bay Company, there appear to be but four principal languages; branching out, it is true, into various dialects, but all derived from one or the other of the four mother tongues, some of which extend even beyond the Missisippi, and perhaps as far as the Rocky mountains. These four languages are, 1. The Karalit. 2. The Iroquois. 3. The Lenapé. 4. The Floridian. Mr. Duponceau has mentioned, in his report prefixed to Mr. Heckewelder's history, that the language of the *Osages* has been found, from a vocabulary by Dr. Murray, of Louisville, to be a dialect of the Iroquois. "By means of this vocabulary," says he, "we have acquired a knowledge of the wide-spread extent of the family of Indian nations of Iroquois origin, which, not long ago, were thought to exist only in the vicinity of the great lakes, while we are enabled to trace them even to the banks of the Missouri." p. xxxvii.

Charlevoix and Loskiel give substantially the same account.—"Dans cette étendue de pays," says the former, "qu'on appelle proprement la Nouvelle France, qui n'a de bornes au nord que du côté de la baye de Hudson, qui n'en a point d'autre à l'est que la mer, les colonies Angloises au sud, la Louysiane au sud-est, et les terres des Espagnols à l'ouest; dans cette étendue dis-je, de pays, il n'y a que trois langues-meres dont toutes les autres sont derivées. Ces langues sont, la Siouse, l'Algonquine, et la Huronne." Jour-

nal, p. 183. The Huron is the same with the Iroquois; and the Algonquin, only another name for the Lenapé or Delaware. With regard to the third language, (la Siouse,) Charlevoix confesses he knew little or nothing.

"It appears very probable," says Loskiel, "that the Delaware and Iroquois are the principal languages spoken throughout the known part of North America, Terra Labrador excepted, and that all others are dialects of them. Our missionaries, at least, who were particularly attentive to this subject, have never met with any which had not some similitude with either one or the other: but the Delaware language bears no resemblance to the Iroquois." Hist. of the Mission of the United Brethren among the Indians of North America, part 1. ch. 2. p. 18. Lond. 1794, 8vo.

We have no reason, I think, to doubt the statement of the Roman and Moravian missionaries, who have made these languages their study, and who had no object in attempting to trace affinities where none existed. In the statements of Charlevoix and Heckewelder, the Spanish territories are cautiously excluded; doubtless because of the great number of radical languages which are said to exist there. For the same reason, in Loskiel's account, the term *North* America is to be understood in contradistinction to *Middle*, as well as *South* America; since the Moravian missionaries could have had no knowledge of the Indian languages within the Spanish dominions.—I wish to be understood as speaking with the same reservation; on account of the express testimony given to this surprising fact by the most respectable witnesses. "Le nombre de ces langues," says the Baron Van Humboldt, speaking of the languages of Mexico, "est au delà de vingt, dont quatorze ont deja des grammaires et des dictionnaires assez complets." After enumerating them, he proceeds to observe, "Il paroit que la plupart de ces langues, loin d'êtres des dialectes d'une seule, (comme quelques auteurs l'ont faussement avancé,) sont au moins aussi différentes les unes des autres que l'est le Grec de l'Allemand, ou le François du Polonois: c'est du moins le cas des sept langues de la Nouvelle-Espagne, dont je possède les vocabularies. *Cette varieté d idiomes que parlent les peuples du Nouveau Continent, et que, sans la moindre exagération* ON PEUT PORTER A PLUSIEURS CENTAINS, *présente un phénomène bien frappant, surtout si on les compare au peu de langues qu'offrent l Asie et l' Europe*." Essai politique sur le Royaume de Nouvelle Espagne, tom. 1. p. 378. Paris, 1811. 8vo.

It is, indeed, a striking phenomenon; and *it becomes still more so when compared with the fact, that in the United States and British America, there are only four radical languages, even including the language of Groenland.* If, however, it should be true, as Humboldt thinks, that there are several hundreds of primitive American languages, it would only afford stronger proof of the truth of the position, in support of which the existence of three radical languages has been mentioned; namely, that the Indians are not the descendants of the twelve tribes.

I feel very great diffidence in appearing to call in question so high

an authority, yet I cannot help suggesting the probability, that the more our knowledge of Indian languages is extended, the greater will be the affinities we shall discover; and that many will be found to be related, which are now considered as totally distinct.

Even in written language, to trace etymologies is, in many cases, a difficult task; and requires an extensive knowledge of the philosophy of human speech. But this difficulty is immeasurably increased, when languages are merely oral, and are represented in foreign characters, not by the natives themselves, but by persons who are often ignorant of all other tongues, but their own, who are confessedly unacquainted with that which they endeavour to write, and whose power of discriminating sounds is not always the most acute.

When a language is written, the writing continues unaltered through all the changes of pronunciation; when it is only spoken, the deviations from the original become rapid and various, in proportion as the imperfections are more or less extensive, of the bodily organs and the mental faculties.

As, therefore, languages merely oral tend inevitably to corruption, so the attempts made to reduce them to writing, are subject to corresponding imperfections. The alphabets in which they are represented, may vary in themselves, and be severally incompetent to convey an exact idea of their powers. Persons who use the same alphabet may employ different combinations of letters to represent the same sounds. "I have frequently found," says the celebrated circumnavigator, Captain Cook, "that the *same words*, written down by *two or more persons* from the mouth of *the same native*, on being compared together, differed not a little." Voyages, vol. 2. p. 521. London, 1785. 4to. And even if the sounds be perfectly represented, we know, from our own experience, the confusion, with regard to etymology, which would arise from making pronunciation the standard of orthography. The anomalies of English pronunciation are so great, that if we were to write it as it is spoken, to trace its etymologies would require the powers of an Œdipus.

Under such disadvantages, we certainly ought to be cautious not to form hasty opinions with regard to the affinities of Indian languages. Our means of information are, at present, too limited, and we must patiently wait the result of those inquiries, which, though commenced too late, have, at length, been happily begun by the American Philosophical Society. The collection of information from distant and independent sources, will lead, by a gradual approximation, to the most accurate results; and we shall probably be able to apply to the subject, the remarks of the great lexicographer of our language, that in proportion "as books are multiplied, the various dialects of the same country will always be observed to grow fewer and less different."

Perhaps I ought not to dismiss this subject, without observing, that Mr. Jefferson long ago made the same remark as M. Von Humboldt, with regard to the great number of American languages, in his Notes on Virginia. "Arranging them," says he, "under the radical ones to which they may be palpably traced; and doing the

same by those of the red men of Asia, there will be found, probably, twenty in America for one in Asia, of those radical languages, so called, because, if they were ever the same, they have lost all resemblance to one another. A separation into dialects may be the work of a few ages only, but for two dialects to recede from one another till they have lost all vestiges of their common origin, must require an immense course of time; perhaps, not less than many people give to the age of the earth. A greater number of those radical changes of language having taken place among the red men of America, proves them of greater antiquity than those of Asia." —Notes on Virginia, Query 11. Aborigines.

The acute and scientific author might have contented himself with stating the fact, and have spared the slur upon Revelation. It is by no means certain, that the same phenomenon does not exist in Asia. The languages spoken in the immediate neighbourhood of the Caucasian mountains, have little more in common than their geographical situation. "Except the Armenian and Georgian," say the Quarterly Reviewers after Adelung, "*they are scarcely ever employed in writing;* and, principally perhaps from this cause, *they exhibit as great a diversity in the space of a few square miles, as those of many other nations do, in as many thousands.*" Q. R. vol. v. p. 285. Rev. of the Mithridates. But admitting that it is confined to America, is there no way of solving the difficulty, but by attacking the Scriptures? And if it be inexplicable, shall we surrender all the stupendous evidences of Divine Revelation, because we are unable to account for a fact which is comparatively insignificant? This is a kind of minute philosophy, unworthy of so distinguished a name, which can be compared only to the calculations of the Canon Recupero in Brydone, who sought to determine the world's age by enumerating the lavas of Ætna.

NOTE D.

There may be an affinity among languages in two ways; in etymology, and in grammatical construction. Where there are etymological affinities, there will of course be a similarity in grammatical forms. On the other hand, languages may be entirely different as to etymology, and yet similar in grammatical construction. The question, with regard to the descent of the Indians from the Hebrews, must rest upon both these affinities; for although resemblances in grammatical construction will not prove a common origin, yet *differences in grammar* afford the strongest evidence of the converse of the proposition.

ETYMOLOGY.

TABLE I.—*Delaware and Iroquois words of the Onondago dialect, from Zeisberger.*

	Lenapé or Delaware.	*Iroquois*, (Onond. dialect.)	*Hebrew.*
GOD,	Patamáwos,	Nioh,	Elohím, אלהים
SPIRIT,	Mannitto,	Otcon,	Rúach, רוח
MAN,	Lenno,	Etschinak,	Ish, איש
WOMAN,	Ochqueu,	Echro,	Ishá, אשה
TO DIE,	Angeln,	Yaiché-ye, Yawo-hé-ye,	Mut-th, מות
TO EAT,	Mitzen,	Wauntecóni,	Achál, אכל
FLESH,	Oyŏs,	Owáchra,	Ba-sár, בשר
FISH,	Namæs,	Otschiónta,	Dag, דג
BONE,	Wochgán,	Oschtiéhnta,*	Ngé-tsem, עצם
A CHILD,	Amemens,	Ixháa,	Nángar, נער

It may not be amiss to make some remarks upon the pronunciation of this and the following specimens. In Zeisberger's vocabulary, the powers of the German Alphabet are employed to express the pronunciation of Indian words. *Ch* has the guttural sound of the Greek X. When the consonants are doubled, it is merely to denote that the preceding vowel is short, as *a* in *man*. *I* and *j* before a vowel have the power of *y*, which I have, therefore, in most cases, taken the liberty to substitute. *Sch* is equivalent to the English *sh*. The apostrophe after *n*, *k*, and *s*, denotes the contraction of a vowel, as *n'pommauchsi*, for *ni pommauchsi*. *Que* and *ke* differ; the former being pronounced like *kwe*. *W* before a vowel, as in English. In representing the Hebrew in English letters, I have followed the points, which give, I am inclined to believe, the traditional representation of the original vowel sounds. These remarks will apply to all the specimens, excepting those from Adair, of which I can say nothing.

* *Cherokee*, Kóra, *according to Adair.*

TABLE II.

NUMERALS.—1. *The Onondago dialect of the Iroquois, from Zeisberger.* 2. *The Lenapé, or Delaware, from Zeisberger.* (Transactions, Hist. and Lit. of Am. Phil. Soc. ut sup. p. 374.) 3. *The Floridian, being the Cherokee, Chickesaw and Choctaw, and Creek or Muskohgee, from Adair's Hist. p.* 73.

Iroquois.		Lenapé.	Floridian.			Hebrew.			
	Onondago.		*Cherokee.*	*Chic. & Choct.*	*Creek or Musk.*	*Masc.*	*Fem.*	*Fem.*	*Masc.*
ONE,	Skata,	Ngutti,	Soquo,	Chephpha,	Hommai,	Echád,	Achath,	אחת	אחד
TWO,	Tekenè,	Nischa,	Tahre,	Togàlo,	Hokkóle,	Shená-yim,	Shetáyim,	שתים	שנים
THREE,	Achsó,	Nacha,	Choeh,	Tootchîna,	Tootchîna,	Shelosháh,	Shalosh,	שלש	שלשת
FOUR,	Ga-vé-ri,	Newo,	Nankke,	Oosta,	Ohsta,	Arba-ngá,	Arbáng,	ארבע	ארבעה
FIVE,	Wisk,	Palenach,	Ishke,	Tathlábe,	Chakàpe,	Chamishá,	Chamésh,	חמש	המשת
SIX,	Achiak,	Guttasch,	Sootàre,	Hannāhle,	Eepáhge,	Shishá,	Shésh,	שש	ששת
SEVEN,	Tschoátak,	Nischasch,	Karekóge,	Untoogàlo,	Hoolophage,	Shib-ngá,	Shébang,	שבע	שכעה
EIGHT,	Tékiro,	Chasch,	Suhnâyra,	Untootchîna,	Cheenèpa,	Shemoná,	Shemonéh,	שמונה	שמונה
NINE,	Wátiro,	Peschkonk,	Sohnáyra,	Chakkale,	Ohstàpe,	Tish-ngá,	Tée-shang,	תשע	תשעה
TEN,	Wasshé,	Tellen,	Skoeh,	Pokoole,	Pokóle,	Ngéser,	Nges-reh,	עשרת	עשר

We know so little of the Floridian languages, that nothing can be said of them, at present, with any certainty. The variation in the numerals, however, must not hastily lead us to suppose, that there are no etymological affinities between the Cherokee and the other languages here mentioned. Adair says, that *Tahre*, the Cherokee word for *two*, signifies in Muskohgee, *a stone*. So, *Ishka*, *five*, signifies in the latter *a mother*. Adair confesses, that he had not much skill in the Muskohgee dialect. It is very observable, that the numerals of the Minsi and Unami tribes of the Lenapé, vary nearly as much as those of the Chickesaws and Muskohgees. The specimen of the Lenapé above exhibited, is of the Unami, which is considered as the pure or mother tongue. The following are the numerals of the Minsi dialect:—1. *Gutti*; 2. Nischa; 3. Nacha; 4. *Newa*; 5. *Nalan*; 6. Guttasch; 7. *Nischoash*; 8. *Chaasch*; 9. *Nolewi*; 10. *Wimbat*.

GRAMMATICAL FORMS.

1. *Example of the Separable and Inseparable Personal Pronouns in Iroquois and Lenapé, compared with the Hebrew. The Inseparable Pronouns in the Iroquois, it will be seen, are divided into Inseparable Active, which are used with Active Verbs and Substantives, and Inseparable Passive, which are used with Passive Verbs.*

SINGULAR.

	Iroquois, (Onondago dialect.)			*Lenapé.*		*Hebrew.*	
	Separable.	*Inseparable Active.*	*Insep. passive*	*Separable.*	*Inseparable.*	*Separable.*	*Inseparable.*
1st per. I, My, Mine,	I, *pron. as Eng. ee.*	ga, ge, waga, wage, t'ga, t'ge, wakge,	Yunki,	ni,	n,	Ani, אני Anochi, אנוכי	I,
2d per. Thou, Thy, Thine,	His,	sa, se, wassa, wasse, wasch, tessa, tesse, tschi,	Yetsa,	ki,	k,	Attah, (m.) אתה Att, (f.) את	Cha, (m.) ך Ch, (f.) ך
3d per. He, His,	Rauha,	ha, ho, waha, waho, t'ha, t'ho,	t'huwa, or wahuwa,	neka, nekama,	w, o, wall,	Hu, הוא	hn, הו u or o, ו
She, Her,	Auha, Gauha,	go, t'iago, yago,	guwa,			Hi, היא	hah, ה

PLURAL.

	Iroquois, (Onondago dialect.)			*Lenapé.*		*Hebrew.*	
	Separable.	*Inseparable Active.*	*Insep. passive*	*Separable.*	*Inseparable.*	*Separable.*	*Inseparable.*
1st per. WE, OUR, OURS,	ni,	unqua, tiunqua, yaqua, tschiaqua, t'wa, tiaqua,	tiunqua,	kiluna,	ena,	anu, אנו anachnu, אנחנו nachnu, נחנו	nu, נו
2d p. YOU, YOUR,	his,	s'wa, s'we, tess'wa,	yetswa,	kiluwa,	uwa,	attem, (m.) אתם atten, (f.) אתן	chem, (m.) כם chen, (f.) כן
3d per. THEY, *m.* THEIR, *m.*	honúhha,	hoti, hati, hunti, hunna, wahunna, wahunti, t'hoti, t'hati, t'hunti,	t'huwati, or wahuwati,	nekamawa,	uwawall,	hem, הם hemmah, המת	hem, הם
THEY, *f.* THEIR, *f.*	onúhha,	gunti, t'gunti,	guwati,			hen, or הן hennah, הנה	hen, הן

II. *Example of a Noun in the Lenapé, or Delaware, with the Inseparable Pronouns, from Heckewelder's Correspondence, Let. XXI.* (Transac. ut sup. p. 426.) *compared with the Hebrew.*

FATHER. Delaware, OOCH.* Hebrew, AB, אב.

My Father,	Nooch,	Abī,	אבי
Thy Father,	Kooch,	Abīcha, (m.) Abīch, (f.)	אביך
His Father,	Oochwall,	Abīv, or Abīhu,	אביו אביהו
Her Father,	Oochwall,	Abīha,	אביה
Our Father,	Nochena,	Abīnu,	אבינו
Your Father,	Kochuwa,	Abichēm, (m.) Abichēn, (f.)	*m.* אביכם *f.* אביכן
Their Father,	Ochuwawall,	Abihēm, (m.) Abihēn, (f.)	*m.* אביהם *f.* אביהן

In Delaware, the pronoun is sometimes prefixed, and sometimes suffixed. In Hebrew, it is uniformly suffixed.

According to Adair, my father is, in Chickesaw, *Angge;* in Cherokee, *Aketohta:* your father, Chickesaw, *Chinge;* Cherokee, *Chatokta.* My mother, Chickesaw, *Saske;* Cherokee, *Akachee:* your mother, Chickesaw, *Chishke;* Cherokee, *Chacheeah.*

* *Ooch* is the abstract word. "*Wetoochwink*," *the father*, is commonly used, because there are few occasions of using this word in the abstract sense.

III. *Example of the Verb* To Love, *in the Lenapé or Delaware, and Iroquois, compared with the Hebrew.*

Under the general name of Iroquois, I have given the Onondago verb from Zeisberger, and the Mohawk, which I wrote down in Albany, in the year 1817, from the mouth of Mr. Eleazar Williams, a son of one of the chiefs of the Oneida nation, who is now a candidate for Holy Orders, and a lay reader and catechist among the Oneidas. Mr. Williams has received a very good education; is acquainted with Greek and Latin; and speaks French fluently. He assured me, that the Mohawk was the pure, or mother tongue, which was understood by all the five nations; but that each had a dialect of its own. An evidence of the correctness of this statement, was afforded me by an interview which I had with several chiefs of the Onondago tribe, who were at Albany transacting some business with the governor. On that occasion I read the general confession in our liturgy; after which Mr. Williams translated it for them, and then proceeded to read in the Mohawk, the prayer for all conditions of men. In looking over it, as he read, I perceived that the vowels had the full Italian sounds, excepting *a*, pronounced like *aw;* that the nasal sounds *an*, *on*, &c. were exactly like the French; and that the guttural sounds were like those of the Oriental languages. I observed likewise, that the accent was chiefly on the ultimate and penultimate. I ventured, therefore, to read a portion of the prayers and hymns, and succeeded so well that they understood me, and expressed their surprise and pleasure. This is a proof, not only of the ease with which a correct pronunciation might be acquired, but also of the fact, that the Onondagoes understand the Mohawk, though they have a dialect which differs from it considerably, as will appear from the verb here exhibited from Zeisberger.

ACTIVE VOICE.

Indicative Mood—Present Tense.

		Iroquois.		Lenapé.	Hebrew.
		Mohawk.	*Onondago.*		
Singular.	I LOVE,	Kenónwes,	Genoróchqua,	N'dahoala,	There is no present, properly speaking, in Hebrew. Past action, continued up to the present, is denoted by the preterite; and habitual or continued action is often expressed by the future. The only mode of expression which may be called present, is when the participle Benoni is used with the personal pronoun: as, אני אהבא ani ōheb, I (*sc. am*) loving Thou loving, He loving, &c.
	THOU LOVEST, (*m.*)	Senónwes,	Sanoróchqua,	K'dahoala,	
	THOU LOVEST, (*f.*)	. . . . .	. . . . .	. . . . .	
	HE LOVES,	Ranónwes,	Honoróchqua,	Ahoaleu, *or* W'dahoala,	
	SHE LOVES,	Ganónwes,	Genoróchqua,	. . . . .	
Plural.	WE LOVE,	Tewanónwes,	Unquanoróchqua, *or* T'wanoróchqua,	N'dahoalaneen,	
	YOU LOVE, (*m.*)	Sewanónwes,	S'wanoróchqua,	K'dahoalahhumo,	
	YOU LOVE, (*f.*)	. . . . .	. . . . .	. . . . .	
	THEY LOVE, (*m.*)	Ratinónwes,	Hotinoróchqua,	Ahoalewak,	
	THEY LOVE, (*f.*)	Kontinónwes,	Guntinoróchqua,	. . . . .	
Impers. *On aime.*		Iënónwes, *or* Yenónwes,	(Not given by Zeisberger.)		

PRETERITE.

	Iroquois.		Lenape.	Hebrew.	
	Mohowk.	*Onondago.*			
I DID LOVE,	Kenónwesgué,	Wagenorochquásquæ,	Ndahoalep,	Ahábti,	אהבתי
THOU DIDST L. (m.)	Senónwesgué,	{ Wassanorochquásquæ, / Sanorochquásquæ, }	Kdahoalep,	Ahábta,	אהבת
——— (f.)	. . . . .	. . . . .	. . . . .	Ahábt,	אהבת
HE DID LOVE,	Ranónwesgué,	{ Wahonorochquásquæ, / Hono.ochquásquæ, }	Ahoalep,	Aháb,	אהב
SHE DID LOVE,	Ganónwesgué,	Gonorochquásquæ,	. . . . .	Ahabá,	אהבה
WE DID LOVE,	Tewanónwesgué,	Unquanorochquásquæ,	Ndahoalennenap,	Ahábnu,	אהבנו
YE DID LOVE, (m.)	Sewanónwesgué,	S'wanorochquásquæ,	Kdahoalohamoap,	Ehábtem,	אהבתם
——— (f.)	. . . . .	. . . . .	. . . . .	Ehabtén,	אהבתן
THEY DID LOVE, (m.)	Ratinónwesgué,	Hotinorochquásquæ,	Ahoalepanik,	Ahábu,	אהבו
——— (f.)	Kóktinónwesgué,	Guntinorochquásquæ,	. . . . .	. . . . .	
Imp. *On Aimoit,*	Tënónwesgué,	(Caret in Zeisb.)			

FUTURE.

I SHALL LOVE,	Hénkenónweseké,	'Ngenoróchqua,	Ndahoalatsch,	Ohab,	אהב
THOU SHALT L. (m.)	Hénsenónweseké,	'Nsanoróchqua,	Kdahoalatsch,	Teëháb,	תאהב
——— (f.)	. . . . .	. . . . .	. . . . .	Teëhabí,	תאהבי
HE SHALL LOVE,	Hénhanónweseké,	'Nhonoróchqua,	{ Ahoaleuchtsch, *or* / Wdahoalatsch,	Yeëháb,	יאהב
SHE SHALL LOVE,	Hénganönweseké,	'Ngonoróchqua,	. . . . .	Teëháb,	תאהב
WE SHALL LOVE,	Héntewanónweseké,	'Nt'wanoróchqua,	Ndahoaleneentsch,	Neëháb,	נאהב
YE SHALL L. (m.)	Hénsewanónweseké,	'Ns'wanoróchqua,	Kdahoalohhumotsch,	Teëhábu,	תאהבו
——— (f.)	. . . . .	. . . . .	. . . . .	Teëhe-benah,	תאהבנה
THEY SHALL L. (m.)	Hénhatinónweseké,	'Nhotinoróchqua,	Ahoalewaktsch,	Yeëhabú,	יאהבו
——— (f.)	Hénkontinónweseké,	'Nguntinorócqua,	. . . . .	Teëhé-benah,	תאהבנה
Impers. *On Aimera,*	Hénïënónweseké.	(Caret in Zeisb.)			

IMPERATIVE—PRESENT.

	Iroquois.		Lenapé.	Hebrew.
	Mohawk.	*Onondago.*		
LOVE THOU, (m.)	Senonwenn,	Assanoróchqua,	Ahoal,	Eháb, אהב
——— (f.)	. . . . .	. . . . .	. . . . .	Ehabi, אהבי
LET HIM LOVE,	Ranonwenn,			expressed in Heb. by fut. of the indicative.
LET HER LOVE,	Ganonwenn,			
LOVE YE, (m.)	Sewanonwenn,	Ass'wanoróchqua,	Ahoalek,	Ehebú, אהבו
——— (f.)	. . . . .	. . . . .	. . . . .	Ehébenah, אהבנה
LET THEM LOVE,	Ratinonwenn,			In Heb. future indicative.
——— (f.)	Kontinonwenn,			
Impers. *Qu'on Aime,*	Iënonwenn,			

IMPERATIVE—FUTURE.

THOU SHALT OR MUST LOVE,		Nassanoróchqua,		There is no such tense in Hebrew; the future of the indicative being used to express necessity of future action.
HE SHALL OR MUST L.		Nahonoróchqua,		
SHE SHALL OR MUST L.		Nagonoróchqua,		
YE SHALL OR MUST L.		Nass'wanoróchqua,		
THEY SHALL OR MUST L.		Nahotinoróchqua,		
——— (f.)		Naguntinoróchqua,		

CONJUNCTIVE MOOD.

PRESENT.

	Iroquois.	*Lenapé.*	*Hebrew.*
When or if I love,	Zeisberger says, in his Onondago Grammar, "The conjunctive or optative is not in the language, but is expressed by the indicative."	Ahoalak,	There is no conj. or opt. mood in Heb. the idea of desire or contingency being expressed by the fut. ind.
——— thou lovest,		Ahoalanne,	
——— he loves,		Ehoalat,	
——— we love,		Ahoalenk,	
——— ye love,		Ahoaleque,	
——— they love,		Ahoalachtit,	

PRETERITE.

When or if I loved,	Wanting in Iroquois.	Ahoalachkup,	Nothing correspondent in Hebrew.
——— thou didst l.		Ahoalannup,	
——— he loved,		Ehoalachtup,	
——— we loved,		Ahoalenkup,	
——— ye loved,		Ahoalekap,	
——— they loved,		Ahoalachtitup,	

PLUPERFECT.

When or if I had loved,	Wanting in Iroquois.	Ahoalakpanne,	Nothing correspondent in Hebrew.
——— thou hadst l'd		Ahoalanpanne,	
——— he had loved,		Ehoalatpanne,	
——— we had loved,		Ahoalenkpanne,	
——— ye had loved,		Ahoalekpanne,	
——— they had l'd,		Ahoalachtitpanne,	

FUTURE.

When or if I shall love,	Wanting in Iroquois.	Ahoalaktsch,	Nothing correspondent in Hebrew.
——— thou shalt l.		Ahoalantsch,	
——— he shall love,		Ehoalatsch,	
——— we shall love,		Ahoalawonksch,	
——— ye shall love,		Ahoalaweksch,	
——— they shall l.		Ahoalaktiksch,	

INFINITIVE MOOD.

To love,	Yonoróchqua,	Ahoalan,	Ehōb, אהוב
To have loved,	Yonorochquásqua,		
To be about to love.	'Nyonoróchqua,		

The participles are not given by Zeisberger, either of the Onondago, or Lenni Lenapé.

It must be observed, that my object being merely to show the difference between the Indian languages and the Hebrew, I have not attempted to exhibit a full view of the exuberant richness of their grammatical construction. The Delaware verb, *Ahoalan*, *to love*, pursued through all its forms, occupies alone fourteen folio pages in Zeisberger's Grammar.

I proceed to give, merely as a specimen, a comparative view of the manner in which the objective personal pronouns are united to the active verbs.

EXAMPLE OF THE PERSONAL FORMS IN DELAWARE AND HEBREW.

FIRST PERSONAL FORM, I.

Delaware, present.

Singular.		*Plural.*	
I love thee,	K'dahoatell	I love you,	K'dahoalohhumo
I love him or her,	N'dahoala	I love them,	N'dahoalawak

Hebrew, præterite.

I have loved thee, (m.) Ahabtícha, אהבתיך	I have loved you, (m.) Ahabtichém, אהבתיכם
——— (f.) Ahabtích, אהבתיך	——— (f.) Ahabtichén, אהבתיכן
I have loved him, Ahabtíhu, אהבתיהו	I have loved them, (m.) Ahabtihém, אהבתיהם
——— her, Ahabtíha, אהבתיה	——— (f.) Ahabtihén, אהבתיהן

SECOND PERSONAL FORM, THOU.

Delaware, present.

Thou lovest me,	K'dahoali	Thou lovest us,	K'dahoalineen
——— him or her,	K'dahoala	——— them,	K'dahoalawak

Hebrew, præterite, (masc.)

Thou (m.) hast loved me, Ahabtáni, אהבתני	Thou hast loved us, Ahabtánu, אהבתנו
——— him, Ahabtáhu, אהבתהו	——— them, (m.) Ahabtám, אהבתם
——— her, Ahabt-hăh, אהבתה	——— (f.) Ahabtán, אהבתן

(feminine.)

Thou (f.) hast loved me, Ahabtíni, אהבתני	Thou (f.) hast loved us, Ahabtínu, אהבתינו
——— him, Ahabtíhu, ——— her, Ahabtíha, } as in first person.	——— them, (m.) Ahabtín, אהבתים
	——— (f.) Ahabtín, אהבתין

THIRD PERSONAL FORM, HE OR SHE.

Delaware, present.

Singular.		*Plural.*	
He or she loves me,	N'dohoaluk	He or she loves us,	W'dahoalguna
——— thee,	K'dahoaluk	——— you,	W'dahoalguwa
——— him,	W'dahoalawall	——— them,	W'dahoalawak

Hebrew, præterite, (masc.)

He has loved me, Ahabáni,	אהבני	He has loved us, Ahabánu,	אהבנו
——— thee, (m.) Ahabchá,	אהבך	——— you, (m.) Ahabchém,	אהבכם
——— (f.) Ahabéch,	אהבך	——— (f.) Ahabchén,	אהבכן
——— him, Ahabáhu,	אהבהו	——— them, (m.) Ahabám,	אהבם
——— her, Ahab-háh,	אהבה	——— (f.) Ahabán,	אהבן

(feminine.)

She has loved me, Ahabáthni,	אהבתני	She has loved us, Ahabáthnu,	אהבתנו
——— thee, (m.) Ahabáthcha,	אהבתך	——— you, (m.) Ahabathchém,	אהבתכם
——— (f.) Ahabathéch,	אהבתך	——— (f.) Ahabathchén,	אהבתכן
——— him, Ahabáth-hu,	אהבתהו	——— them, (m.) Ahabathám,	אהבתם
——— her, Ahabáth-hah,	אהבתה	——— (f.) Ahabathán,	אהבתן

IV. As a specimen of the Grammatical Forms of the Floridian Languages, I subjoin the "Conjugation of a Verb in the Cherokee language, by the Rev. Daniel S. Butrick," communicated by him to the American Philosophical Society. I copy it with the division of syllables, accents, &c. from the original paper.

ACTIVE VOICE—INDICATIVE MOOD.

Present Tense.

Sing.	*Dual.*	*Plural.*
1. tsē nē yĭ. I take, or am taking, (*a person,*)	1. ā ne ne yĭ. We two take, (*speaking to each other,*)	1. ā te ne yĭ. We (all) take, (*speaking to one of the company,*)
2. he ne yĭ. Thou takest,	1. â ste ne yĭ. We two take, (*speaking to a third person,*)	1. â tse ne yĭ. We (all) take, (*speaking to one not of the company,*)
3. Cŭ ne yĭ. He or she takes,	2. ā ste ne yĭ. You two take,	2. ā tse ne yĭ. You (all) take,
		3. ŭ ne ne vĭ. They take.

Imperfect Tense.

Sing.	*Dual.*	*Plur.*
1. tse ne yu hu. I did take, 2. he ne yu hu. Thou, &c. 3. ô ne yu hu. He, &c.	1. ā ne ne yu hu. We (2) did take, 1. â ste ne yu hu. We (2) did take, 2. ā ste ne yu hu. You (2) did take,	1. ā te ne yu hu. We (all) did take, 1. â tse ne yu hu. We (all) did take, 2. ā tse ne yu hu. You (all) did take, 3. ô ne ne yu hu. They did take.

Perfect Tense.

1. tse ne ye scŭ. I have taken, or been taking, 2. he ne ye scŭ. Thou, &c. 3. cŭ ne ye scŭ. He, &c.	1. ā ne ne ye scŭ. We, (2) &c. 1. â ste ne ye scŭ. We, (2) &c. 2. ā ste ne ye scŭ. You, (2) &c.	1. ā te ne ye scŭ. We, (all) &c. 1. â tse ne ye scŭ. We, (all) &c. 2. ā tse ne ye scŭ. You, (all) &c. 3. ŭ ne ne ye scŭ. They, &c.

First Future Tense.

1. tŭ tse ne yŭ. I shall take, 2. te ne yŭ. Thou, &c. 3. tŭ cŭ ne yŭ. He, &c.	1. tī ā ne ne yŭ. We two, &c. 1. tī â ste ne yŭ. We two, &c. 2. tī ā ste ne yŭ. You two, &c.	1. tī ā te ne yŭ. We, (all) &c. 1. tī â tse ne yŭ. We, (all) &c. 2. tī ā tse ne yŭ. You, (all) &c. 3. tŭ ne ne yŭ. They, &c.

Second Future Tense.

1. tse ne ye scā sti. I shall be taking. 2. he ne ye scā stī. Thou, &c. 3. cŭ ne ye scā stī. He &c.	1. ā ne ne ye scā stī. We two, &c. 1. â ste ne ye scā stī. We two, &c. 2. ā ste ne ye scā stī. You two, &c.	1. ā te ne ye scā stī. We, (all) &c. 1. â tse ne ye scā stī. We, (all) &c. 2. ā tse ne ye scā sti. You, (all) &c. 3. ŭ ne ne ye scā stī. They, &c.

"The potential mode is generally formed from the indicative, by prefixing *yā le*; and the subjunctive, by prefixing *yē*. What I here call the potential mode, expresses *power*; there is another mode, for which, as yet, I have no name, to express *liberty*: as, *I may*," &c. D. S. B.

IMPERATIVE MOOD.

Sing.	*Dual.*	*Plur.*
1. tse ne yŭ. Let me take, 2. he ne yŭ. Do thou, &c. 2. wĭ cŭ ne yŭ. Let him, &c.	1. ā ne ne yŭ. Let us two, &c. 1. â ste ne yŭ. Let us two, &c. 2. ā ste ne yŭ. Do you two, &c.	1. ā te ne yŭ. Let us all, &c. 1. â tse ne yŭ. Let us all, &c. 2. ā tse ne yŭ. Do you all, &c. 3. wŭ ne ne yŭ. Let them, &c.

INFINITIVE MOOD.

1. tse ne yŭ tĭ. To take. 2. he ne yŭ tĭ. 3. ô ne yŭ tĭ.	1. ā ne ne yŭ tĭ, 1. â ste ne yŭ tĭ, 2. ā ste ne yŭ tĭ,	1. ā te ne yŭ tĭ, 1. â tse ne yŭ tĭ, 2. ā tse ne yŭ tĭ, 3. ô ne ne yŭ tĭ.

PASSIVE VOICE—INDICATIVE MOOD.

Present Tense.

Sing.	*Dual.*	*Plur.*
1. ŭng ke ne yŭ. I am taken, 2. ā tsŭ ne yŭ. Thou, &c. 3. à tse ne yŭ. He, &c.	1. tā kĭn e ne yŭ. We two, &c. 1. tâ kĭn e ne yŭ. We two, &c. 2. ta ste ne yŭ. You two, &c.	1. tā ke ne yŭ. We, (all) &c. 1. tâ ke ne yŭ. We, (all) &c. 2. tā tsē ne yŭ. You, (all) &c. 3. tā cā tsē ne yŭ. They, &c.

Imperfect.

1. ŭng kē nē yŭ hŭ. I was, &c. 2. ā tsŭ ne yŭ hŭ. Thou, &c. 3. à tse ne yŭ hŭ. He, &c.	1. tā kĭn e ne yŭ hŭ, 1. tâ kĭn e ne yŭ hŭ, 2. tā ste ne yŭ hŭ,	1. tā ke ne yŭ hŭ, 1. tâ ke ne yŭ hŭ, 2. tā tse ne yŭ hŭ, 3. tā cā tse ne yŭ hŭ.

Perfect.

1. ŭng ke ne ye scŭ. I have been taken, 2. ā tsŭ ne ye scŭ. Thou, &c. 3. à tse ne ye scŭ. He, &c.	1. tā kĭn e ne ye scŭ, 1. tâ kĭn e ne ye scŭ, 2. tā stē ne ye scŭ,	1. tā ke ne ye scŭ, 1. tâ ke ne ye scŭ, 2. tā tse ne ye scŭ, 3. tā cā tse ne ye scŭ.

Future.

Sing.	*Dual.*	*Plur.*
1. tī yŭng ke ne yŭ. I shall be taken, 2. tī yā tsŭ ne yŭ. Thou, &c. 3. tī yā tse ne yŭ. He, &c.	1. tī yā kĭn e ne yŭ, 1. tī yâ kĭn e ne yŭ, 2. tī yā ste ne yŭ,	1. tī yā ke ne yŭ, 1. tī yâ ke ne yŭ, 2. tī yā tse ne yŭ, 3. tŭ cā tse ne yu.

N. B. The potential and subjunctive modes are formed in the same manner as in the active voice.

IMPERATIVE MOOD.

1. wŭng ke ne yŭ. Let me be taken, 2. wā tsŭ ne yŭ. Do thou be, &c. 3. wā tse ne yŭ. Let him, &c.	1. tā kĭn e ne yŭ, 1. tâ kĭn e ne yŭ, 2. tā ste ne yŭ,	1. tā ke ne yŭ, 1. tâ ke ne yŭ, 2. tā tse ne yŭ, 3. wĭ tĭ cā tse ne yŭ.

Note. Some words in this mood are distinguished from the present passive only by the accent, which is not here marked.

INFINITIVE MOOD.

1. ŭng ke ne yŭ tĭ. To be taken, 2. ā tsŭ ne yŭ tĭ, 3. à tse ne yŭ tĭ,	1. tā kĭn e ne yŭ tĭ, 1. tâ kĭn e ne yŭ tĭ, 2. tā ste ne yŭ tĭ,	1. tā ke ne yŭ tĭ, 1. tâ ke ne yŭ tĭ, 2. tā tse ne yŭ tĭ, 3. tĭ cā tse ne yŭ tĭ.

MIDDLE VOICE—INDICATIVE MOOD.

Present Tense.

Sing.	*Dual.*	*Plur.*
1. cŭ tà ne yĭ. I am taking, (myself,) 2. hŭ tà ne yĭ. Thou, &c. 3. à tà ne yĭ. He, &c.	1. tā nŭ tà ne yĭ, 1. tà stŭ tà ne yĭ, 2. tā stŭ tà ne yĭ,	1. tā tŭ tà ne yĭ, 1. tâ tsŭ tà ne yĭ, 2. tā tsŭ tà ne yĭ, 3. tà nŭ tà ne yĭ.

Imperfect.

Sing.	*Dual.*	*Plural.*
1. á qŭ tà ne yŭ hŭ. I did take, (myself,) 2. tsŭ tà ne yŭ hŭ. Thou, &c. 3. ô tà ne yŭ hŭ. He, &c.	1. kĭn ŭ tà ne yŭ hŭ, 1. ō kĭn ŭ tà ne yŭ hŭ, 2. ē stŭ tà ne yŭ hŭ,	1. ē cŭ tà ne yŭ hŭ, 1. ō cŭ tà ne yŭ hŭ, 2. ē tsŭ tà ne yŭ hŭ, 3. tô nŭ tà ne yŭ hŭ,

Perfect.

1. cŭ tà ne ye scŭ. I have taken, or been taking, (myself,) 2. hŭ tà ne ye scŭ. Thou, &c. 3. à tà ne ye scŭ. He, &c.	1. tà nŭ tà ne ye scŭ, 1. tâ stŭ tà ne ye scŭ, 2. tà stŭ tà ne ye scŭ,	1. tà tŭ tà ne ye scŭ, 1. tâ tsŭ tà ne ye scŭ, 2. ta tsŭ tà ne ye scŭ, 3. tà nŭ tà ne ye scŭ.

First Future.

1. tŭ cŭ tà ne yŭ. I shall take, (myself,) 2. tŭ tà ne yŭ. Thou, &c. 3. tu n tà ne yŭ. He, &c.	1. tà tà nŭ tà ne yŭ, 1. tâ ti â stŭ tà ne yŭ, 2. tâ tà stŭ tâ ne yŭ,	1. tà tà tŭ tà ne yŭ, 1. tâ tī â tsu tà ne yŭ, 2. tâ tà tsŭ tà ne yŭ, 3. tâ tŭ nŭ tà ne yŭ.

Second Future.

1. cŭ tà ne ye scā stī. I shall be taking, (myself,) 2. hŭ tà ne ye scā sti. Thou, &c. 3. à tà ne ye scā stī. He, &c.	1. tā nŭ tà ne ye scā stī, 1. tâ stŭ tà ne ye scā stī, 2. tā stŭ tà ne ye scā stī,	1. tā tŭ tà ne ye scā stī, 1. tâ tsŭ tà ne ye scā stī, 2. tā tsŭ tà ne ye scā stī, 3. tà nŭ tà ne ye scā stī.

The potential and subjunctive moods formed in some respects as in the Active Voice.

IMPERATIVE MOOD.

1. cŭ tà ne yŭ. Let me take, (myself,) 2. hŭ tà ne yŭ. Do thou, &c. 3. wŭ tà ne yŭ. Let him, &c.	1. tā nŭ tà ne yŭ, 1. tâ stŭ tà ne yŭ, 2. tā stŭ tà ne yŭ,	1. tā tŭ tà ne yŭ, 1. tâ tsŭ tà ne yŭ, 2. tā tsŭ tà ne yŭ, 3. wī tŭ nŭ tà ne yŭ.

INFINITIVE MOOD.

Sing.	*Dual.*	*Plur.*
1. à qŭ tà ne yŭ tĭ. To take, (myself,)	1. tā kĭn ŭ tà ne yŭ tĭ,	1. tā cŭ tà ne yŭ tĭ,
2. tsŭ tà ne yŭ tĭ,	1. tâ kĭn ŭ tà ne yŭ tĭ,	1. tâ cŭ tà ne yŭ tĭ,
3. ô tà ne yŭ tĭ,	2. tā tsŭ tà ne yŭ tĭ,	2. ta tsŭ tà ne yŭ tĭ,
		3. tsŭ nŭ tà ne yŭ tĭ.

" REMARKS.

" 1. When two are talking together, and one speaks to his companion, he says, *ā nē nē yĭ, We (two) are taking;* but if he speaks to any other person or persons than his companion, he says, *â ste ne yĭ, We (two) are taking.*

" 2. When three or more people are talking together, and one speaks to the company, he says, *ā tē nē yĭ, We (all) are taking;* but if he speak to any person or persons, not included in the expression—not belonging to the company, he says, *â tsē nē yĭ, We (all) are taking.* So through all the voices, modes, and tenses.

" 3. The infinitive mode is varied by persons. Thus, *I want to take, à quà tô lĭ, tsē nē yŭ tĭ: I want you to take,* speaking to a person, I say, *à quâ tô lĭ, hē nē yŭ tĭ: I want him to take, à quâ tô lĭ, ô ne yŭ tĭ,* &c. &c. &c.

" 4. I have passed over the potential and subjunctive modes, because there are various ways of forming them, and I am not confident which is best. I have omitted the participles, because I am not sufficiently acquainted with them."

It will immediately be seen, that a language so remarkably rich in grammatical forms as to surpass even the Greek, differs *toto cœlo* from the Hebrew, one of the simplest of all languages. For the sake of those, however, who are unacquainted with the latter, I subjoin the preterite of the verb TO TAKE, Lakách לקח

Sing.		*Plur.*	
He took,	*Lakáchh* לקח	They (m. & f.) took,	*La-kechú* לקחו
She took,	*La-kechàh* לקחה	Ye (m.) took,	*Le-kach-tém* לקחתם
Thou (m.) didst take,	*La-kách-ta* לקחת	Ye (f.) took,	*Le-kach-ten* לקחתן
Thou (f.) didst take,	*La-kacht* לקחת	We (m. & f.) took,	*La-kach-nu* לקחנו
I (m. and f.) took,	*La-kach-ti* לקחתי		

For the vocabulary from Zeisberger, the conjugation of the verbs in the Lenni Lenapé, and Onondago, from the same author, and the above example of the Cherokee verb, I am indebted to the kindness of Peter S. Duponceau, Esq. corresponding secretary of the Historical and Literary Committee of the American Philosophical Society. As that gentleman is devoting his leisure moments with great ardour to the study of Indian languages, we have reason to expect, that he will throw much light upon the philosophical history of human speech; a subject in which, to use the words of the Quarterly Reviewers, " the critical scholar, the metaphysician, and the historian, are equally interested."

NOTE E.

"In the Indian languages," says Mr. Heckewelder, "those discriminating words or inflections, which we call *genders*, are not, as with us, in general, intended to distinguish between male and female beings, but between animate and inanimate things or substances. Trees and plants (*annual plants and grasses excepted*) are included within the generic class of animated beings. Hence the personal pronoun has only two modes, if I can so express myself, one applicable to the *animate*, and the other to the *inanimate gender*; '*nekama*' is the personal pronominal form which answers to 'he' and 'she' in English. If you wish to distinguish between the sexes, you must add to it the word 'man' or 'woman.' Thus, '*nekama lenno*' means '*he*,' or '*this man*;' '*nekama ochqueu*,' '*she*,' or '*this woman*.'

"The males of quadrupeds are called '*lenno wéchum*,' and by contraction '*lennochum*,' the females '*ochque wéchum*,' and by contraction '*ochquéchum*,' which is the same as saying *he* or *she* beasts. With the winged tribe, their generic denomination '*wehelle*' is added to the word which expresses the sex, thus '*lenno wehelle*,' for the male, and '*ochquechelle*,' (with a little contraction,) for the female. There are some animals, the females of which have a particular distinguishing name, as '*nunschetto*,' a doe, '*nunsheach*,' a she bear. This, however, is not common." Correspondence respecting the Indian languages, Let. vii. Transactions, ut supr. p. 367–9.

"The Indians distinguish the genders, animate and inanimate, even in their verbs. *Nolhatton* and *nolhalla*, both mean '*I possess*,' but the former can be used only in speaking of the possession of things inanimate, and the latter of living creatures.—In the verb '*to see*,' the same distinction is made between things, animate and inanimate. *Newau*, '*I see*,' applies only to the former, and '*nemen*,' to the latter. Thus the Delawares say, *lenno* NEWAU, '*I see a man*;' *tscholens* NEWAU, '*I see a bird*;' *achgook* NEWAU, '*I see a snake*;' on the contrary, they say, *wiquam* NEMEN, '*I see a house*;' *amochol* NEMEN, '*I see a canoe*,' &c. Ibid. p. 438–9.

These expressions of Mr. Heckewelder are to be taken, however, with due limitation. In their full extent, they apply only to the Lenapé and their kindred tribes. It is certain, from the specimens of the Mohawk and Onondago in the preceding note, that there are feminine verbs in the Iroquois. That the distinctions of gender exist also in the nouns, is evident from the following passage in Zeisberger's Onondago Grammar. "The gender of nouns is twofold, masculine and feminine;* it is partly designated or distinguished by the nature of the thing, and partly from *prefixes*, or,

* In another grammar of the Onondago, by the same author, he says, "there are three genders, masculine, feminine, and neuter. The neuter nouns are those which have no sign of gender prefixed to them." In his Delaware grammar, he also divides the genders into masculine, feminine, and neuter. Yet we now know, that they are also divided into animate and inanimate.

to speak more accurately, *preformatives.* Examples: 1. From the nature of the thing—*Etschinak*, a man; *Echro*, a woman. 2. From prefixes—*Sayádat*, a person, (m.) *Sgayádat*, a person, (f.) *T'hiátage*, two persons, (m.) *t'giátage*, two persons, (f.) *áchs; nihœnati*, three persons, (m.) *áchso negúnati*, three persons, (f.)" Zeisberger's M. S. Grammar of the Onondago Lang. transl. by P. S. Duponceau, Esq.

Yet we must not hastily conclude, that the distinction of *animate* and *inanimate*, does not exist in the Iroquois. Charlevoix, whose cautious accuracy on other subjects leads us to place confidence in what he asserts on his own knowledge, says expressly, "Dans le Huron, (a dialect of the Iroquois,) tout se conjugue," &c.—"Les verbes simples ont une double conjugaison, l'une absolue, l'autre réciproque. *Les troisièmes personnes ont les deux genres, car il n'y en a que deux dans ces langues, à sçavoir le genre noble, et le genre ignoble.* Pour ce qui est des nombres et des tems, on y trouve les mêmes différences, que dans le Grec. Par exemple, pour raconter un voyage, on s'exprime autrement, si on l'a fait par terre, ou si on l'a fait par eau. Les verbes actifs se multiplient autant de fois, qu'il y a de choses qui tombent sous leur action; comme le verbe, qui signifie *manger*, varie autant de fois, qu'il y a de choses comestibles. *L'action s'exprime autrement à l'égard d'une chose animée, et d'une chose inanimée; ainsi, voir un homme, et voir une pierre, ce sont deux verbes.** Se servir d'une chose, qui appartient à celui qui s'en sert, ou à celui à qui on parle, ce sont autant de verbes differens.—*Il y a quelque chose de tout cela dans la langue Algonquine*, (a dialect of the Lenapé or Delaware,) mais la manière n'en est pas la même, et je ne suis nullement en état de vous en instruire." Journal Hist. p. 197.

On this subject, Mr. Duponceau thus writes to me: "I have yet found nothing in Zeisberger respecting an *inanimate* gender in the Iroquois; but it does not follow from thence, that it does not exist somewhere, and in some form, in that language: for in his Delaware Grammar, he divides the genders into masculine, feminine, and neuter; and it is from Mr. Heckewelder that we have the account of the *inanimate*. The truth is, that the writers of Indian Grammars, most of them at least, have tried too much to assimilate their rules to those of their own language, or of the Latin. It was a great while before I satisfied myself, that the Iroquois was Polysynthetic. Zeisberger's Grammars do not show it; but some other manuscripts of his, and a careful investigation of his Grammars and Dictionaries, with that view, have convinced me that it is so in the highest degree. This I shall develop at a future day, when I have more leisure for it; but, on the whole, we must be careful of general negative inferences, as they may mislead us."

"The Delaware, though it has this general division of *animate* and *inanimate*, is not a stranger to the masculine and feminine; as many names of animals are different for the sexes, and others are

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* The same assertion, and the same example, as that of Heckewelder, with respect to the Delaware, above quoted.

distinguished, as with us, by a male and female epithet. Thus we say, *he cat*, *she cat*, *cock sparrow*, *hen sparrow*, &c. From these, an Iroquois, on a superficial view, might say that our language has no genders," &c.

NOTE F.

Much stress has been laid upon the supposed use of the Hebrew words *Jehovah* and *Halleluiah* among the Indians. With regard to the invocation of God, by the name of *Jehovah*, the fact, in the first place, is not certain. Some travellers assert that the Indians, when assembled in council, and on other solemn occasions, express their approbation by ejaculating Ho, ho, ho, with a very guttural emission. In the minutes of a treaty, held at Lancaster, I think in 1742, on which occasion Conrad Weiser was interpreter, it is said that the chiefs expressed their approbation in the usual manner, by saying, "Yo-wah." Adair says that they exclaim, "Yo-he-wah," and, according to his manner of interpretation, asserts, that this means "Jehovah." But surely all this may be purely imaginary. It is well known that the Hebrew nation abstain from the use of this sacred name. We have the authority of Josephus and Philo, that it was never pronounced. The Septuagint version, which was made more than 250 years before Christ, constantly substitutes for it, the word Κυριος, Lord, which agrees with the present practice among the Jews. It must be proved, then, that before the dispersion of the ten tribes, it was customary to pronounce the name of Jehovah, or else the use of a similar word among the Indians is hostile to the theory it was intended to serve.

As to the word *Halleluiah*, supposing it to be true that such a word is uttered, and that it is not an accidental resemblance, what is the inference to be drawn from it? That the Indians are Hebrews? But "the ancient Greeks had their similar acclamation, Ελελευ Ιη, with which they both began and ended their *pæans*, or hymns, in honour of Apollo." See Parkhurst, Heb. Lex. voce הל. v. and Calmet's Dict. Article *Alleluia*. May we not as well conclude, that the Indians are descended from the Greeks, or the Greeks from the Hebrews? All such arguments are extremely unsatisfactory, and can weigh nothing in opposition to the facts, that the American languages have no affinity with the Hebrew—that the Indians have not the least knowledge of written characters—that none of them practise the rite of circumcision—and that there are no traces among them of the observation of the Sabbath. "It cannot be perceived that they have any set holy-dayes; only in some great distresse of want, feare of enemies, times of triumph, and of gathering their fruits, the whole countrey, men, women, and children, assemble to their solemnities." Observations of the Rites of Virginians, by Captain Smith and others. Purchas, vol. v. p. 951

NOTE G.

This belief in subordinate deities is represented by Adair, in conformity with his system, as only a belief in the ministration of Angels. Hist. of the North American Indians, p. 36.

"They (viz. the Cherokees, Creeks, Choctaws, &c.) believe the higher regions to be inhabited by good spirits, whom they call *Hottuk Ishtohoollo* and *Nana Ishtohoollo*, 'holy people,' and 'relations to the great Holy One.' The *Hottuk Ookproose* or *Nana Ookproose*, 'accursed people,' or 'accursed beings,' they say, possess the dark regions of the west; the former attend and favour the virtuous; and the latter, in like manner, accompany and have power over the vicious." p. 36. "Several warriors have told me, that their *Nana Ishtohoollo*, 'concomitant holy spirits,' or angels, have forewarned them, as by intuition, of a dangerous ambuscade, which must have been attended with certain death, when they were alone, and seemingly out of danger; and by virtue of the impulse, they immediately darted off, and, with extreme difficulty, escaped the crafty pursuing enemy." p 37.

The Chepewyan, or Northern Indians, according to Hearne, "are very superstitious with respect to the existence of several kinds of *fairies*, called by them *Nant-e-na, whom they frequently say they see, and who are supposed by them to inhabit the different elements of earth, sea, and air, according to their several qualities. To one or other of those fairies they usually attribute any change in their circumstances, either for the better or worse;* and as they are led into this way of thinking entirely by the art of the conjurers, there is no such thing as any general mode of belief; for those jugglers differ so much from each other in their accounts of these beings, that those who believe any thing they say, have little to do but change their opinions according to the will and caprice of the conjurer, who is almost daily relating some new whim or extraordinary event, which, he says, has been revealed to him in a dream, or by some of his favourite fairies, when on a hunting excursion." Hearne, 347. cap. ix. end. What Hearne calls fairies, were probably the inferior tutelary deities.

When among the Sioux, Captains Lewis and Clarke went to see (anno 1804) "a large mound in the midst of a plain, about N. 20. W. from the mouth of Whitestone River, from which it is nine miles distant. It is called by the Indians, the *Mountain of Little People, or Little Spirits*, and they believe that it is the abode *of little devils in the human form, of about* 18 *inches high, and with remarkably large heads; they are armed with sharp arrows, with which they are very skilful, and are always on the watch to kill those who should have the hardihood to approach their residence.* The tradition is, that many have suffered from those little evil spirits, and among others, three Maha Indians fell a sacrifice to them a few years since. This has inspired all the neighbouring nations, Sioux, Mahas, and Ottoes, with such terror, that no consideration could tempt them to visit the hill." Lewis and Clarke's expedition up the Missourí, vol. I. p. 52–3. Philad. 1814.

The term *devils* is a gloss of the travellers. These are probably the same with the Matchi Manittoes, or inferior evil spirits, of the Lenapé.

"The whole religion of the Mandans (anno 1804) consists in the belief of *one Great Spirit*, presiding over their destinies. This being must be in the nature of a good genius, since it is associated with the healing art, and the *Great Spirit is synonomous with Great Medicine, a name also applied to every thing which they do not comprehend. Each individual selects for himself the particular object of his devotion, which is termed his medicine, and is either some invisible being, or more commonly some animal, which thenceforward becomes his protector or his intercessor with the Great Spirit;* to propitiate whom, every attention is lavished, and every personal consideration is sacrificed. 'I was lately owner of seventeen horses,' said a Mandan to us one day, 'but I have offered them all up to my medicine, and am now poor.' He had in reality taken all his wealth, his horses, into the plain, and, turning them loose, committed them to the care of his *medicine*, and abandoned them for ever. The horses, less religious, took care of themselves, and the pious votary travelled home on foot." Lewis and Clarke, vol. I. p. 138.

"Besides the buffalo dance we have just described, there is another called *medicine dance*, an entertainment given by any person desirous of doing honour to his *medicine or genius*. He announces, that on such a day he will sacrifice his horses, or other property, and invites the young females of the village to assist in rendering homage to his medicine: all the inhabitants may join in the solemnity, which is performed in the open plain, and by daylight, but the dance is reserved for the unmarried females. The feast is opened by *devoting the goods of the Master of the feast to his medicine, which is represented by a head of the animal itself, or by a medicine bag*, if the deity be an invisible being." Lewis and Clarke, vol. I. p. 151–2.

I am inclined to think that, from an imperfect knowledge of their language and religious customs, Lewis and Clarke were led into a mistake respecting the term "Medicine," as applied to the Supreme Being, and to the subordinate divinities. The Indians undoubtedly consider the healing art as a supernatural power; and as they call every thing they do not comprehend a Spirit, they would naturally call any medicine, of which they had felt the efficacy, a Spirit. Lewis and Clarke may easily, therefore, have been led to suppose that their word for Spirit meant medicine.

That the same belief in one supreme, and numerous subordinate deities, existed among the tribes now extinct, who formerly inhabited the Atlantic States, appears from the accounts given by the first settlers, which coincide in a remarkable manner with the statements of modern travellers.

In the year 1587, Thomas Hariot, sent over by Sir Walter Raleigh, and, to use his own expressions, "in dealing with the naturall inhabitants specially imployed," gives the following statement, concerning the Indians within the colony of Virginia:

"Some religion they have already, which, although it be farre from the true, yet this being as it is, there is hope it may be the easier and sooner reformed: they also believe that *there are many gods, which they call Mantoac, being of different sorts and degrees, one onely chiefe and Great God, which hath bene from all eternitie.* Who, as they affirme, when hee purposed to make the world, *made first other gods of a principall order, to be as meanes and instruments to be used in the Creation and government to folow; and after the sunne, moone, and starres as pettie gods, and the instruments of the other order more principall.* First, (they say,) were made waters, out of which by the gods was made all diversitie of creatures that are visible or invisible." Hackluyt's Collection, vol. 3. p. 276–7.

In Winslow's "Good News from New-England; or, A relation of things remarkable in that Plantation," anno 1622, occur the following remarks on the subject of the Indian Religion:

"A few things I thought meete to adde heereunto, which I have observed amongst the Indians, both touching their religion, and sundry other customes amongst them. And first, *whereas myselfe and others, in former letters,* (which came to the presse against my wille and knowledge,) *wrote that the Indians about us are a people without any religion or knowledge of any God, therein I erred, though wee could then gather no better;* for as *they conceive of many divine powers, so of one whom they call Kichtan, to be the principall maker of all the rest, and to be made by none: Hee* (they say) *created the Heavens, Earth, Sea, and all creatures contained therein.* Also, that hee made one man and one woman, of whom they and wee, and all mankind, came: but how they became so farre dispersed, they know not. At first, they say, there was no *Sachem* or *King*, but *Kiehtan*, who dwelleth above the Heavens, whither all good men goe when they die to see their friends, and have their fill of all things: This, his habitation, lyeth westward in the Heavens, they say; thither the bad men goe also, and knocke at His doore, but he bids them *Quachet*, that is to say, *Walke abroad*, for there is no place for such; so that they wander in restlesse want and penury. *Never man saw this Kiehtan; onely old men tell them of him, and bid them tell their children;* yea, to charge them to teach their posterities the same, and lay the like charge upon them. *This power they acknowledge to be good, and when they obtaine any great matter, meet together and cry unto him, and so likewise for plenty, victory, &c.* sing, dance, feast, give thankes, and hang up garlands, and other things, in memory of the same.

"Another power they worship, whom they call *Hobbamock*, and to the northward of us, *Hobbamoqui*: this, as farre as wee can conceive, is the devill; him they call upon to cure their wounds and diseases. When they are curable, hee perswades them hee sends the same for some conceiled anger against them, but upon their calling upon him, can and doth help them; but when they are mortall, and not curable in nature, then he perswades them *Kiehtan* is angry and sends them, whom none can cure; insomuch, as in that

respect onely they somewhat doubt whether hee bee simply good, and therefore in sicknesse never call upon him. *This Hobbamock appears in sundry formes unto them, as in the shape of a man, a deare, a fawne, an eagle, &c. but most ordinarily as a snake,*" &c. Purchas's Pilgrim, lib. x. chap. v. vol. 4. p. 1867.

This Hobbamock, or Hobbamoqui, who "appears in sundry forms," is evidently the Oké, or *Tutelary Deity*, which each Indian worships; and Mr. Winslow's narrative affords a solution of the pretended worship of the devil, which the first settlers imagined they had discovered, and which has since been so frequently mentioned on their authority, without examination. The natives, it was found, worshipped another being, beside the Great Spirit, which every one called his *Hobbamock*, or Guardian Oké. This, the English thought, could be no other than the *Devil*, and accordingly they asserted, without farther ceremony, what they believed to be a fact. Hence, in a "Tractate, written at Henrico in Virginia, by Master Alexander Whitaker, Minister to the Colony there," (anno 1613,) we find the following account of the worship of the *Kewas*, or Tutelary Deity of the Virginian Indians:

"They acknowledge that *there is a Great Good God*, but know him not, having the eyes of their understanding as yet blinded: wherefore *they serve the devill for feare*, after a most base manner, sacrificing sometimes, (as I have here heard,) their owne children to him.* *I have sent one image of their god to the counsell in England, which is painted upon one side of a toadstoole, much like unto a deformed monster.* Their priests, (whom they call *Quiokosoughs*,) are no other but such as our *English* witches are," &c. Purchas, lib. ix. vol. 4. p. 1771.

NOTE H.

"Nemo vir magnus sine aliquo afflatu divino unquam fuit." Cic. de Nat. Deor. lib. ii.

"Les sauvages appellent Génie ou Esprit tout ce qui surpasse la capacité de leur entendement, et dont ils ne peuvent comprendre la cause. Ils en croyent de bons et de mauvais." La Hontan, Mémoires de l'Amérique Septentrionale, Amsterd. 1705. ed. 2. vol. 2. p. 127. They adore the Great Spirit, he observes, in every thing. "Cela est si vrai que dès qu'ils voyent quelque chose de beau, de curieux ou de surprenant, surtout le soleil et les autres astres, ils s'écrient ainsi: O Grand Esprit, nous te voyons partout." Ib. p. 115.—La Hontan was an infidel, and sought to exalt deism at the expense of Christianity. It is impossible to read his work without perceiving that he shelters himself under the garb of an Indian, while he gives vent to opinions which in France would have endangered his safety, if uttered as his own. We can never be certain of

* This, Porchas afterwards mentions, is found to be false, vol. 5. p. 952. It arose from a mistaken notion respecting the ceremony of obtaining a Guardian Spirit for boys. See Note I.

the accuracy of his statements, excepting when corroborated by other testimony.—In the above extracts, it will be seen how he has bent to the support of his own notions, the belief that every thing in nature has its tutelary spirit.

It has been before remarked, that all nature is divided by the Indians into the two great classes of animate and inanimate. It is probable, therefore, that all animate nature being considered as one great whole, the agency of tutelary spirits is supposed to be co-extensive.—" Un François ayant un jour jetté un souris qu'il venoit de prendre, une petite fille la ramassa pour la manger: le pere de l'enfant, qui l'apperçut, la lui arracha, et se mit à faire de grandes caresses à l'animal qui étoit mort: le François lui en demanda la raison: 'C'est, repondit-il, pour appaiser le Génie des souris, afin qu'il ne tourmente pas ma fille, quand elle aura mangé celle-ci.' Après quoi, il rendit l'animal à l'enfant, qui le mangea."—Charlevoix, Journal, p. 299, 300.—" Non seulement ces sauvages (the Potewotamies, Outagamies, and other nations around Lake Michigan) ont, *comme tous les autres*, la coûtume de se préparer aux grandes chasses par des jeûnes, que les Outagamis poussent même jusqu'à dix jours de suite, mais encore, tandis que les chasseurs sont en campagne, on oblige souvent les enfans de jeûner, on observe les songes qu'ils ont pendant leur jeûne, et on en tire de bons ou de mauvais augures pour le succès de la chasse. *L'intention de ces jeûnes est d'appaiser les Génies tutélaires des animaux, qu'on doit chasser, et l'on prétend qu'ils font connôitre par les rêves s'ils s'opposeront, ou s'ils seront favorables aux chasseurs.*" Ib. ubi supra.

" I have often reflected," says Mr. Heckewelder, " on the curious connexion which appears to subsist in the mind of an Indian, between man and the brute creation, and found much matter in it for curious observatiou. All beings, endowed by the Creator with the power of volition and self-motion, they view in a manner as a great society, of which they are the head, &c.—They are, in fact, according to their opinions, only the first among equals, the legitimate hereditary sovereigns of the whole animated race, of which they are themselves a constituent part Hence, in their languages, those inflections of their nouns, which we call *genders*, are not, as with us, descriptive of the *masculine* and *feminine* species, but of the *animate* and *inanimate* kinds. Indeed, they go so far as to include trees and plants within the first of these descriptions. All animated nature, in whatever degree, is, in their eyes, a great whole, from which they have not yet ventured to separate themselves. They do not exclude other animals from their world of Spirits, the place to which they expect to go after death.

" A Delaware hunter once shot a huge bear, and broke its back bone. The animal fell, and set up a most plaintive cry, something like that of the panther when he is hungry. The hunter, instead of giving him another shot, stood up close to him, and addressed him in these words: 'Heark ye! bear; you are a coward, and no warrior, as you pretend to be. Were you a warrior, you would show it by your firmness, and not cry and whimper like an old wo-

man. You know, bear, that our tribes are at war with each other, and that your's was the aggressor. You have found the Indians too powerful for you, and you have gone sneaking about in the woods, stealing their hogs; perhaps at this time you have hog's flesh in your belly. Had you conquered me, I would have borne it with courage, and died like a brave warrior; but you, bear, sit here and cry, and disgrace your tribe by your cowardly conduct.' I was present at the delivery of this curious invective. When the hunter had despatched the bear, I asked him how he thought that poor animal could understand what he said to it? 'Oh!' said he, in answer, 'the bear understood me very well; did you not observe how *ashamed* he looked while I was upbraiding him?'" Historical Account, &c. p. 247–9.

NOTE I.

Mr. Heckewelder describes the same custom under the name of "Initiation of Boys;" "a practice," he says, "which is very common among the Indians, and indeed is universal among those nations that I have become acquainted with." "When a boy is to be thus initiated, he is put under an alternate course of physic and fasting, either taking no food whatever, or swallowing the most powerful and nauseous medicines, and occasionally he is made to drink decoctions of an intoxicating nature, until his mind becomes sufficiently bewildered, so that he sees, or fancies that he sees, visions, and has extraordinary dreams," &c —"Then he has interviews with the Manitto, or with Spirits, who inform him of what he was before he was born, and what he will be after his death. His fate in this life is laid entirely open before him; the Spirit tells him what is to be his future employment," &c.—"When a boy has been thus initiated, a name is given to him analogous to the visions that he has seen, and to the destiny that is supposed to be prepared for him. The boy, imagining all that happened to him, while under perturbation, to have been real, sets out in the world with lofty notions of himself, and animated with courage for the most desperate undertakings." Hist. Account, p. 238, 239.

This practice of blacking the face and fasting, together with the use of emetics, as a system of religious purification, for the purpose of obtaining a Guardian Spirit, appears to have existed formerly among the natives of Virginia and New-England; though the first settlers were not always able to learn the real object of the ceremonies they saw. Tomocomo, one of the Chiefs of the Virginian tribes, gave the following account to Mr. Purchas, in the year 1616.

"They use to make black-boyes once in foureteen or fifteen yeeres generally, for all the country, (this happened the last yeere, 1615,) when all of a certaine age, that have not beene made black-boyes before, are initiated in this ceremonie. Some foure monthes after that rite they live apart, and are fed by some appointed to carry

them their food: they speake to no man, nor come in company, seeme distracted, (some thinke by some devillish apparition scarred; certaine, to oblige them to that devillish religion as by a hellish sacrament of the devil's institution,) and will offer to shoot at such as come nigh them. And when they come into company, yet are, for a certaine time, of silent and strange behaviour, and wil doe any thing never so desperate that they shal be bidden; if they tel them they shal be old men, if they goe not into the fire, they wil doe it. There is none of their men but are made blacke-boyes at one time or other. Let us observe these things with pittie and compassion, and endeavour to bring these silly souls out of the snare of the devill, by our prayers, our purses, and all our best endeavours. This may bee added, that their young people have, in manner, no knowledge, and the vulgar little of their religion. They use also to beguile them with their *okee*, or image of him in their houses, into whose mouth they wil put a tobacco-pipe kindled, and one behinde that image draws the smoke, which the sillier vulgar and children thinke to bee done by their god or idoll." Relation of Tomocomo and Mr. Rolph, in Purchas, vol. v. book 8. chap. 6. p. 955.

This ceremony was witnessed by the famous Captain John Smith, one of the first settlers, and by William White, but they at the time mistook it for a sacrifice of the children to the devil. See Purchas, vol. 5. p. 952.

"The Werowance being demanded the meaning of this sacrifice, answered, that the Children were not all dead, but the next day they were *to drinke Wighsakon*, which would make them mad; *and they were to be kept by the last made blacke-boyes* in the wildernesse, *when their oke did* sucke the bloud of those which fell to his lot, &c. This sacrifice they held to be so necessary, *that if they should omit it, their oke or Devill, and all their other Quiyoughcosughes, which are their other gods, would let them have no deare, turkies, corne, nor fish, and yet besides, he would make a great slaughter amongst them.*" Captain Smith's Description of Virginia. Purchas, vol. 4. p. 1702. lib. ix. cap. iii.

Mr. Winslow gives the following account of the Indians of New-England:—"The *Panieses* are men of great courage and wisedome, and *to these also the Deuill appeareth more familiarly then to others, and, as wee conceiue, maketh couenant with them, to preserve them from death by wounds with arrowes, knives, hatchets, &c. or at least both themselues and especially the people thinke themselues to be freed from the same. And though against their battels, all of them, by painting, disfigure themselues, yet they are knowne by their courage and boldnesse, by reason whereof one of them will chase almost an hundred men*, for they account it death for whomsoever stand in their way. These are highly esteemed by all sorts of people, and are of the *Sachim's* councill, without which they will not warre, or vndertake any weightie businesse," &c.

"*And to the end they may haue store of these, they traine up the most forward and likeliest boys from their childhood in great*

hardnesse, and make them abstain from daintie meat, observing diuers orders prescribed, to the end that when they are of age, the Deuill may appeare to them, causing to-drink the juyce of sentry, and other bitter hearbs till they cast, which they must disgorge into the platter, and drinke againe and againe, till at length, through extraordinary press of nature, it will seeme to be all bloud, and *this the boys will doe with eagernesse, till by reason of faintnesse they can scarce stand on their legs*, and then must goe forth into the cold: also they beat their shins with sticks, and cause them to run through bushes, stumps, and brambles, to make them hardy and *acceptable to the Deuill, that in time he may appeare unto them.*" Purchas's Pilgrim, b. x. chap. 5. vol. 4. p. 1868. The passages in italics sufficiently indicate the confidence and courage with which the natives were inspired, from the conviction of their possessing a Guardian Spirit, and the painful austerities which their children were obliged to undergo in order to obtain one.

NOTE K.

In 1584, when Virginia was first discovered, the Captain of one of the vessels sent by Sir Walter Raleigh, states, concerning the inhabitants of the Island of Roanoak, that "within the place where they feede was their lodging, and *within that their Idoll, which they worship, of whome they speak incredible things.*" Hackluyt, vol. 3. p. 249. 4to. Lond. 1600. "*When they goe to warres they carry about with them their Idoll, of whome they aske counsel, as the Romans were woont of the oracle of Apollo.* They sing songs as they marche towardes the battell instead of drummes," &c. Ibid. p. 250

NOTE L.

Adair affirms, that the Indians do not "worship any kind of images whatsoever." p. 22. "These Indian Americans," he says, "pay their religious devoir to Loak Ishto-hoollo-Aba, 'the great, beneficent, supreme, holy Spirit of Fire,' who resides (as they think) above the clouds, and on earth also with unpolluted people. He is with them the sole author of warmth, light, and of all animal and vegetable life. They do not pay the least perceivable adoration to any images or to dead persons; neither to the celestial luminaries, nor evil Spirits, nor any created beings whatsoever." p. 19. Yet he afterwards admits, that "there is a carved human statue of wood," but assserts that they pay to it no religious homage. "It belongs to the head war-town of the upper Muskohge country, and *seems to have been originally designed to perpetuate the memory of some distinguished hero who deserved well of his country; for when their cusseena, or bitter black drink, is about to be drank in*

the Synedrion, they frequently, on common occasions, will bring it there, and honour it with the first conchshell-full by the hand of the chief religious attendant; and then return it to its former place." p. 22. He speaks also of "Cherubimical figures in their Synhedria," before which they danced through a strong religious principle, and always in a bowing posture. p. 30. When it is recollected, that Adair's theory required it to be proved that the Indians worship no other than the Supreme Being, it will not be difficult to account for the reluctance with which he is obliged to admit the fact of the existence of these images, and for the attempt to explain it in consistency with his hypothesis.

"Though so familiar with these genii, they (the Jugglers) cannot describe their form or nature. They suppose them to be bodies of a light, volatile, shadowy texture. Sometimes they and their disciples will select a particular one, and give him for a dwelling, a certain tree, serpent, rock, or waterfall, and him they make their fetish, like the Africans of Congo." Volney, p. 417.

"When we arrived on the west side of the river, each painted the front of his target or shield; some with the figure of the sun, others with that of the moon, several with different kinds of birds and beasts of prey, and many with the images of imaginary beings, which, according to their silly notions, are the inhabitants of the different elements, earth, sea, air, &c. On inquiring the reason of their doing so, I learned that each man painted his shield with the image of that being on which he relied most for success in the intended engagement." Hearne, 149.

Yet Hearne affirms elsewhere, that they had no religion!—He speaks in this place of the Chepewyan, or Northern Indians, passing the Copper-mine River to attack the Esquimaux.

Just above the mouth of Stone Idol Creek, "we discovered that a few miles back from the Missouri, *there are two stones resembling human figures, and a third like a dog;* all which are objects of great veneration among the Ricaras.—Whenever they (the Ricaras) pass these sacred stones, *they stop to make some offering of dress to propitiate these deities.* Such is the account given by the Ricara Chief." Lewis and Clarke, (1804,) vol. 1. p. 107.

Hariot, a servant of Sir Walter Raleigh, says of the natives of Virginia, (anno 1587,) "They thinke that *all the gods are of humane shape, and therefore they represent them by images in the formes of men, which they call Kewasowok*, one alone is called *Kewas:* them they place in houses appropriate or temples, which they call *Machicomuck*, where they worship, pray, sing, and make many times offering unto them. In some *Machicomuck* we have seene but one *Kewas*, in some two, and in other some, three. The common sort thinke them to be also gods." Hackluyt, vol. 3. p. 277. See also Purchas, vol. 5. p. 948. of the Virginian rites related by Master Hariot.

"Their Idoll, called *Kiwasa*," says the same author, "is made of wood foure foot high, the face resembling the inhabitants of Florida, painted with fleshe colour, the brest white, the other parts black, except the legs, which are spotted with white; he hath

chaines or strings of beades about his neck." Hariot, apud Purchas, vol. 5. p. 950.

"There is yet in Virginia," says Captain Smith, "no place discovered to be so savage in which the savages have not a religion.—All things that were able to doe them hurt beyond their prevention, they adore with their kinde of divine worship: as, the fire, water, lightning, thunder, our ordnance pieces, horses, &c. But their chiefe god they worship is the Divell; *him they call Oke*, and serve him more of feare than love. They say they have conference with him, and fashion themselves as neere to his shape as they can imagine. *In their temples they have his image evil favouredly carved, and then painted and adorned with chaines, copper, and beades, and covered with a skin*, in such manner as the deformitie may well suite with such a god." Description of Virginia, Purchas, lib. ix. cap. iii. vol. 4. p. 1701.

NOTE M.

"There is an herbe which is sowed apart by itselfe, and is called by the inhabitants *Uppowoc*: in the West Indies it hath divers names, according to the severall places and countreys where it groweth and is used; the Spaniards generally call it *Tabacco*.—This *Uppowoc* is of so precious estimation amongst them, that they thinke their gods are marvellously delighted therewith: whereupon sometime *they make hallowed fires, and cast some of the pouder therein for a sacrifice: being in a storme upon the waters, to pacifie their gods, they cast some up into the aire, and into the water: so a weare for fish being newly set up, they cast some therein and into the aire: also after an escape of danger, they cast some into the aire likewise:* but all done with strange gestures, stamping, sometime dancing, clapping of hands, holding up of hands, and staring up into the heavens, uttering therewithall and chattering strange words and noises." Hariot, apud Hackluyt, vol. 3. p. 271–2.

"In every territory of a *Werowance*, is a temple and a priest, two or three, or more. The principall temple, or place of superstition, is at Uttamussack, at Pamaunk, and neere unto which is a house, temple, or place of *Powhatans*. Upon the top of certain red sandy hils in the woods, there are *three great houses filled with images* of their kings, and *divels*, and tombs of their predecessors. Those houses are neere sixty foot in length, built arbor-wise, after their building. This place they count so holy, as that none but the priests and kings dare come into them; nor the *savages* dare not go up the river in boates by it, but that they *solemnly cast some peece of copper, white beads, or pocones into the river; for feare their Oke should be offended and revenged of them.* In this place commonly are resident, seven priests," &c. Smith's Description of Virginia. Purchas, lib. ix. chap. iii. vol. 4. p. 1701.

NOTE N.

How exactly the *Zemes* of the Islanders corresponded with the *Okie* or *Manittoes* of the present Continental Indians, will appear from the following relation in Purchas:

"Now, concerning the *Zemes* and the superstitions of Hispaniola, the Spaniards had beene long in the iland before they knew that the people worshipped any thing but the lights of Heaven; but after, by further conversing and living amongst them, they came to know more of their religion, of which, one *Ramonus*, a Spanish heremite, writ a booke, and Martyr hath borrowed of him to lend us. It is apparent, by the *images* which they worshipped, that there appeared unto them certaine illusions of evil spirits. *These images they made of Gossampine cotton* hard stopped, sitting, like the pictures of the Divel, which they called *Zemes; whom they take to be the mediators and messengers of the Great God, which they acknowledge One, Eternall, Infinite, Omnipotent, Invisible. Of these they thinke they obtaine raine or faire weather; and when they goe to the warres, they have certaine little ones which they bind to their foreheads.* Every king *hath his particular Zemes, which he honoureth.* They call the Eternall God by these two names, *Jocanna* and *Guamanomocon*, as their predecessors taught them, affirming, that he hath a father, called by these five names, Attabeira, Mamona, Guacarapita, Liella, Guimazoa.

"They *make the Zemes of divers matter and forme:* some of wood, as they were admonished by certaine visions appearing to them in the woods: others, which had received answere of them among the rockes, make them of stone: some of rootes, to the similitude of such as appeare to them when they gather the rootes whereof they make their bread, thinking that the Zemes sent them plenty of these rootes. *They attribute a Zemes to the particular tuition of every thing;*—some assigned to the sea, others to fountaines, woods, or other their peculiar charges." Purchas, vol. 5. p. 1091.

NOTE O.

"The Mandans," according to Captains Lewis and Clarke, 1804, "believe" that "the whole nation" formerly "resided in one large village under ground, near a subterraneous lake." Accident made them acquainted with the charms of the upper region, and about one half of the nation ascended to the surface of the earth. When they die, they expect to return to the original seats of their forefathers; "the good reaching the ancient village by means of the lake, which the burden of the sins of the wicked will not enable them to cross." See the tradition related at large, Exped. up the Missouri, vol. 1. p. 139.

"Kagohami came down to see us early; his village is afflicted by the death of one of their eldest men, who, from his account to us, must have seen one hundred and twenty winters. Just as he was dying, he requested his grandchildren to dress him in his best robe when he was dead, and then carry him on a hill, and seat him on a stone, with his face down the river towards their old villages, that he might go straight to his brother, who had passed before him to the ancient village under ground." Ibid. vol. 1. p. 103.

It is remarkable how many of the Indian nations think they formerly lived under ground.

"They," the natives of Virginia, (anno 1587,) "believe also the immortalitie of the soule, that after this life, as soon as the soule is departed from the body, *according to the workes it hath done, it is either carried to heaven, the habitacle of gods,* there to enjoy perpetuall blisse and happinesse, *or els to a great pitte or hole,* which they thinke to be in the furthest parts of their part of the world toward the sunne set, there to burne continually: the place they call *Popogusso.*" Hariot, apud Hacklay's, vol. 3. p. 277.

"They think that their werowances and priests, which they also esteeme *Quiyoughcosughes,* when they are dead, goe beyond the mountaines towards the setting of the sunne, and ever remaine there in forme of their *Oke,* with their heads painted with oile and *pocones,* finely trimmed with feathers, and shall have beades, hatchets, copper, and tobacco, doing nothing but dance and sing, with all their predecessors," &c. Captain Smith's Description of Virginia, apud Purchas, vol. 4. p. 1702.

NOTE P.

See Heckewelder's account of Indian funerals, Hist. Acc. p. 262, 271. "This hole" (in the coffin) "is for the spirit of the deceased *to go in and out at pleasure, until it has found the place of its future residence.*" p. 266. "At dusk, *a kettle of victuals was carried to the grave,* and placed upon it, and the same was done every evening *for the space of three weeks, at the end of which it was supposed that the traveller had found her place of residence.*" p. 270. This was the funeral of the wife of Shingask, a noted Delaware chief, at which Mr. H. was present in 1762.

Blackbird, a Maha chief, died of the small-pox about four years before Lewis and Clarke's expedition (i. e. in 1800). On the top of a knoll, three hundred feet above the water, a mound of twelve feet diameter at the base, and six feet high, is raised over the body of the deceased king. "*Ever since his death, he is supplied with provisions from time to time, by the superstitious regard of the Mahas.*" Lewis and Clarke's Exped. up the Missouri, vol. 1. p. 43. "The effects of the small-pox on that nation" (the Mahas) "are most distressing. They had been a military and powerful people; but when these warriors saw their strength wasting before a malady which they could not resist, their frenzy was extreme—they burnt

their village, and many of them put to death their wives and children, to save them from so cruel an affliction, *and that all might go together to some better country.*" Ibid. p. 45. Compare with this, Hebr. xi. 14, 15, 16.

NOTE Q.

"When any of their relations die," says Adair, "they immediately fire off several guns, by one, two, and three at a time, for fear of being plagued with the last troublesome neighbours:" (the Hottuk ookproose, accursed people, or evil spirits.) "All the adjacent towns also on the occasion, whoop and halloo at night; for they reckon, this offensive noise sends off the ghosts to their proper fixed place, till they return at some certain time, to repossess their beloved tract of land, and enjoy the terrestrial paradise. As they believe in God, so they firmly believe that there is a class of higher beings than men, and a future state of existence." Hist. of North American Indians, p. 36.

NOTE R.

In another place, Charlevoix mentions the superstitions of the Ottáwas, among whom an idol was erected, "et tout le monde occupé à lui sacrifier des Chiens." Hist. de la Nouv. France, tom. 1. p. 392. "Les Criques adorent le soleil, auquel ils sacrifient des Chiens." Ibid. p. 397.

Lewis and Clarke, (anno 1804,) observed the same custom among the Tetons Okandandas. "The hall, or council room, was in the shape of three quarters of a circle, covered at the top and sides with skins well dressed and sewed together. Under this shelter sat about seventy men, forming a circle round the chief, before whom were placed a Spanish flag, and the one we had given them yesterday," &c.—"After he had ceased, the great chief rose and delivered an harangue to the same effect: then, with great solemnity, he *took some of the most delicate parts of the dog, which was cooked for the festival, and held it to the flag by way of sacrifice:* this done, he held up the pipe of peace, and first pointed it towards the heavens, then to the four quarters of the globe, and then to the earth, made a short speech, lighted the pipe, and presented it to us." Expedition up the Missouri, vol. 1. p. 84.

"When any of the young men of these nations (Iroquois) have a mind to signalize themselves, and to gain a reputation among their countrymen, by some notable enterprise against their enemy, they, at first, communicate their design to two or three of their most intimate friends; and if they come into it, an invitation is made in their names to all the young men of the castle, *to feast on dog's flesh;* but whether this be because dog's flesh is most agreeable to Indian palates, or whether it be as an emblem of fidelity, for which

the dog is distinguished by all nations, that it is always used on this occasion, I have not sufficient information to determine. When the company is met, the promoters of the enterprise set forth the undertaking in the best colours they can; they boast of what they intend to do, and incite others to join, from the glory there is to be obtained; *and all who eat of the dog's flesh, thereby enlist themselves.*" Colden's Hist. of Five Indian Nations of Canada, Introduc. p. 6.

Bernal Diaz, one of the companions of Cortes, mentions the same practice as prevailing among the Mexicans.

"When he arrived at the summit, he found there an Indian woman, very fat, and *having with her a dog of that species, which they breed in order to eat*, and which do not bark. This Indian was a witch; *she was in the act of sacrificing the dog, which is a signal of hostility.*" The true Hist. of the Conquest of Mexico, by Captain Bernal Diaz del Castillo, one of the Conquerors, written in the year 1568. Keatinge's Trans. p. 352.

In the Scriptures, dogs and swine are continually mentioned together as animals equally unclean. Hence the prophet, reprehending the hypocrisy of those who rested in mere external observances, could think of no stronger figure to represent the abhorrence with which God regarded their offerings, than the comparison of them to the sacrifice of dogs and swine. "He that sacrificeth a lamb, is as if he cut off a dog's neck; he that offereth an oblation, as if he offered swine's blood," &c. Isaiah, lxvi. 3. Comp. Matt. vii. 6. and 2 Pet. ii. 22. The law not only forbade dogs to be offered to God, but even the price for which dogs were sold. Deut. xxiii. 18. See Bochart Hieroz. lib. ii. cap. lvi. pars. 1. p. 690.

Is it credible that nations, descended from the Hebrews, would have so far forgotten their origin, as to offer in sacrifice, what the law of Moses declared to be an abomination in the sight of God?—Adair speaks of the aversion which the Indians originally had to swine's flesh, as a proof of their Hebrew origin, but is silent respecting the practice of sacrificing and eating that of dogs. Hist. N. Amer. Indians, p. 133–4.

NOTE S.

Hearne, speaking of the superstitious observances of the Chepewyan Indians, after an engagement with the Esquimaux, says, that all who had shed blood, were considered in a state of uncleanness, and were not permitted to cook any victuals for themselves or others. The murderers painted all the space between the nose and chin, as well as the greater part of their cheeks, with red ochre, before they would taste a bit of food, and would not drink out of any other dish, or smoke out of any other pipe, but their own; and none of the others seemed willing to drink or smoke out of theirs. All these ceremonies were observed from the time of their killing the Esquimaux in July, till the winter began to set in, and during

the whole of that time they would never kiss any of their wives or children. They refrained also from eating many parts of the deer, and other animals, particularly the head, entrails, and blood; and during their uncleanness, their victuals were never sodden in water, but dried in the sun, eaten quite raw, or boiled, when a fire fit for the purpose could be procured.

"When the time arrived for putting an end to these ceremonies, the men, without a female being present, made a fire at some distance from the tents, into which they threw all their ornaments, pipe-stems, and dishes, which were soon consumed to ashes; after which a feast was prepared, consisting of such articles as they had long been prohibited from eating; and when all was over, each man was at liberty to eat, drink, and smoke as he pleased; and also to kiss his wives and children at discretion, which they seemed to do with more raptures than I had ever known them to do it, either before or since." Hearne, p. 204–6. This was evidently an expiatory rite, a purification by fire and a sacrifice. How inconsistent with Hearne's assertion in another place, that they have no religion!

Captain Smith thus describes the worship of the natives of Virginia:

"The manner of their devotion is, sometimes to make a great fire in the house or fields, and all to sing and dance about it with *rattles,* and shout together four or five hours. Sometimes they set a man in the midst, and about him they dance and sing, he all the while clapping his hands, as if he would keepe time, and after their songs and dances ended, *they goe to their feasts.*

"They have also certaine altar stones, they call *Pawcorances,* but these stand from their temples, some by their houses, others in the woods and wildernesses, where they have had any extraordinary accident or incounter. As you travell by them, they will tell you the cause of their erection, wherein they instruct their children; so that they are in stead of records and memorialls of their antiquities. *Upon this they offer Bloud, Deare, Suet, and Tobacco.* These they doe *when they returne from the warres, from hunting, and upon many other occasions.* They have also another superstition that they use *in stormes, when the waters are rough in the Rivers and Seacoasts.* Their conjurers runne to the water sides, or passing in their boats, after many hellish outcries and invocations, *they cast tobacco, copper, pacones, or such trash, into the water, to pacifie that God whom they thinke to be very angry in those stormes.* Before their dinners and suppers, the better sort *will take the first bit, and cast it in the fire,* which is all the grace they are knowne to use." Description of Virginia, by Captaine John Smith. Purchas, lib. ix. chap. iii. vol. 4. p. 1702.

Mr. Winslow gives the following account of the religious rites of the natives of New-England:

"*Many sacrifices the Indians use,* and in some cases kill children. It seemeth they are various in their religious worship in a little distance, and grow more and more cold in their worship to Kiehtan," &c. "The Nanohigganses exceed in their blind devo-

tion, and have a great spatious house, wherein onely some few (that as we may tearme them priests) come: thither at certaine knowne times, resort all their people, *and offer almost all the riches they have to their gode, as kettles, skins, hatchets, beades, knives, &c. all which are cast by the priests into a great fire that they make in the midst of the house, and there consumed to ashes.* To this offering, every man bringeth freely, and the more hee is knowne to bring, hath the better esteeme of all men." Good News from New-England, &c. Purchas, vol. 4. lib. x. chap. v. p. 1867–8.

NOTE T.

"One would think it scarce possible," says Bryant in his Analysis of Ancient Mythology, "that so unnatural a custom, as that of human sacrifices, should have existed in the world; but it is very certain, that it did not only exist, but almost universally prevail." Analysis, Edit. 3d. 8vo. Lond. 1807. vol. 6. p. 295.

From this learned writer I select a few examples of this horrid practice, referring for complete satisfaction on this interesting subject to the work itself.

"Phylarchus affirms, as he is quoted by Porphyry, that of old, every Grecian state made it a rule, before they marched towards an enemy, to solicit a blessing on their undertakings by human victims. Aristomenes, the Messinian, slew 300 noble Lacedemonians, among whom was Theopompus, the king of Sparta, at the altar of Jupiter, at Ithome. The Spartan boys were whipped, in the sight of their parents, with such severity before the altar of Diana Orthia, that they often expired under the torture."

Among the Romans, "Caius Marius offered up his own daughter for a victim to the Dii Averrunci, to procure success in a battle against the Cimbri. When Lentulus and Crassus were Consuls, so late as the 657th year of Rome, a law was enacted that there should be no more human sacrifices. This law, however, was not sufficient to produce their abolition, for not very long after this, it is reported, by Suetonius, of Augustus Cæsar, when Perusia surrendered in the time of the second Triumvirate, that, beside multitudes executed in a military manner, he offered up, upon the Ides of March, 300 chosen persons, both of the Equestrian and Senatorian Order, at an altar dedicated to the manes of his uncle Julius. Even at Rome itself this custom was revived: and Porphyry assures us, that, in his time, a man was every year sacrificed at the shrine of Jupiter Latiaris. Heliogabalus offered the like victims to the Syrian Deity, which he introduced among the Romans. The same is said of Aurelian.

"The Carthaginians, upon a great defeat of their army by Agathocles, seeing the enemy at their gates, seized at once 200 children of the prime nobility, and offered them in public for a sacrifice. Three hundred more, being persons who were somehow obnoxious, yielded themselves voluntarily, and were put to death

with the others. The neglect of which they accused themselves, consisted in sacrificing children, purchased of parents among the poorer sort, who reared them for that purpose; and not selecting the most promising, and the most honourable, as had been the custom of old. In short, there were particular children brought up for the altar, as sheep are fattened for the shambles; and they were bought and butchered in the same manner. If a person had an only child, it was the more liable to be put to death, as being esteemed more acceptable to the deity, and more efficacious of the general good," &c. It is impossible not to shudder at this dreadful recital. In comparison with the infernal rites of these *civilized* nations, how pure is the religion of the *Savages* of America!

NOTE U.

The arts practised by these impostors, when called upon to exercise their supposed power of healing, are thus described by Mr. Heckewelder. "Attired in a frightful dress, he approaches his patient, with a variety of contortions and gestures, and performs by his side, and over him, all the antick tricks that his imagination can suggest. He breathes on him, blows in his mouth, and squirts some medicines, which he has prepared, in his face, mouth, and nose; he rattles his gourd filled with dry beans or pebbles, pulls out and handles about a variety of sticks and bundles, in which he appears to be seeking for the proper remedy, all which is accompanied with the most horrid gesticulations, by which he endeavours, as he says, to frighten the Spirit or the disorder away," &c. Hist. Account, p. 225.

Mr. Hearne's description of the conjurers among the Chepewyan or Northern Indians, which is very minute, and disgusting enough, corresponds so exactly with Heckewelder's account, that it would seem as if the same person had sat to each for his picture. From the following passage, it will be seen that he depends for success upon the aid of his attendant Spirit.

"—I began to be very inquisitive about the Spirits, which appear to them, on these occasions, [swallowing a stick, bayonet, &c.] and their form; when I was told that they appeared in various shapes, for almost every conjurer had his peculiar attendant; but that the Spirit which attended the man who pretended to swallow the piece of wood, they said, generally appeared to him in the shape of a cloud." Hearne, p. 217–18. of the Northern or Chepewyan Indians.

From the following extracts, it will be seen that the same office existed, attended by the same ceremonies, and the same results, among the natives of Virginia, at the time of its first settlement by the English.

"To cure the sicke, a certaine man with a little rattle, using extreme howlings, shouting, singing, with divers antick and strange behaviours over the patient, sucketh blood out of his stomack or

diseased place." News from Virginia, by Captain Smith, apud Purchas, vol. 5. p. 950.

Master Alexander Whitaker, Minister to the Colony at Henrico, anno 1613, states, that "they stand in great awe of the *Quiokosoughs*, or priests, which are a generation of vipers, even of Sathan's owne brood. The manner of their life is much like to the Popish Hermits of our age; for they live alone in the woods, in houses sequestered from the common course of men, neither may any man be suffered to come into their house, or to speake with them, but when this priest doth call him. He taketh no care for his victuals, for all such kinde of things, both bread and water, &c. are brought unto a place neere unto his cottage, and there are left, which hee fetcheth for his proper neede. *If they would have raine, or have lost any thing, they have their recourse to him, who conjureth for them, and many times prevaileth. If they be sick, he is their physician; if they be wounded, he sucketh them. At his command they make warre and peace, neither doe they any thing of moment without him.*" Whitaker, in Purchas, vol. 4. p. 1771.

Quiokosough seems to have been an appellation common to their gods and conjurers, unless it be a mistake of the English settlers. The Virginian Indians so fed Captain Smith, "that he much misdoubted that he should have beene sacrificed to the *Quoyoughquosicke*, which is a superiour power they worshippe, then the Image whereof, a more ugly thing cannot be described." Purchas, vol. 5. p. 950.

The name written by Whitaker, *Quiokosough*, and by Smith, *Quoyoughquosicke*, is, no doubt, the same as *Kewasowok* in Hariot's account; a proof of the uncertainty of the orthography of Indian words.

Among the New-England Indians, the same office was designated by the name of *Powah*, or as it is otherwise written *Powow*. Thus Mr. Winslow states, in his "Good Newes from New-England"—"The office and dutie of the *Powah*, is to be exercised principally *in calling upon the Devill, and curing diseases of the sicke and wounded*," &c.

"In the Powah's speech, hee promiseth *to sacrifice many skinnes of Beasts, Kettles, Hatchets, Beades, Knives, and other the best things they have, to the fiend*, if hee will come to helpe the partie diseased," &c. Purchas, vol. iv. lib. x. cap. v.

The Savages of Acadia, according to Charlevoix, called their Jongleurs *Automins*. "Dans l'Acadie—quand on appelle les Jongleurs, c'est moins à cause de leur habileté, que parce qu'on suppose, qu'ils peuvent mieux sçavoir des Esprits la cause du mal, et les remedes, qu'il y faut appliquer.—Dans l'Acadie, les Jongleurs s'apelloient *Automins*, et c'étoit ordinairement le chef du village, qui etoit revêtu du cette dignité." Journal, p. 367–8.

In the *Bohitii* of the natives of Hispaniola, when they were visited by Columbus, we clearly recognise the same office.

"Their Boitii, or priests, instruct them in these superstitions: these are also *physicians*, making the people beleeve *that they obtaine health for them of the Zemes*. They tye themselves to much

fasting and outward cleanlinesse and purging; especially where they take upon them the cure of great men: for then *they drunke the powder of a certaine hearbe, which brought them into a furie, wherein they said they learned many things of their Zemes.* Much adoe they make about the sicke partie, *deforming themselves with many gestures, breathing, blowing, sucking the forehead, temples, and necke of the patient;* sometimes also saying, that the *Zemes* is angrie for not erecting a chappell, or dedicating to him a grove or garden, or the neglect of other holies. And if the sicke partie die, his kins-folkes, by witchcraft, enforce the dead to speake, and tell them whether hee died by naturall destinie, or by the negligence of the Boitii, in not fasting the full due, or ministring convenient medicine: so that, if these physicians be found faulty, they take revenge of them." Purchas, vol. 5. p. 1093.

NOTE W.

See the very interesting report of Mr. Duponceau, to the Historical and Literary Committee of the American Philosophical Society; and also his Correspondence with Mr. Heckewelder. "All the genuine specimens that we have seen," he observes, "of the grammatical forms of the Indians from North to South, on the Continent and in the Islands, exhibit the same general features, and no exception whatever, that I know of, has yet been discovered."

"When we find so many different idioms, spoken by nations which reside at immense distances from each other, so entirely different in their etymology, that there is not the least appearance of a common derivation, *yet so strikingly similar in their forms, that one would imagine the same mind presided over their original formation*, we may well suppose that the similarity extends through the whole of the language of this race of men, at least until we have clear and direct proof to the contrary." Correspondence, ut supr. Letter xxiii.

Will it be thought an extravagant supposition, that it was *the Divine mind which presided over their original formation;* and that when God confounded the languages of men, *for the very purpose of dispersing them throughout the Earth*, He should have so planned the systems of speech, as to make similar grammatical forms characterize the great divisions of the human race?

NOTE X.

In this opinion I am supported by Charlevoix. "D'ailleurs les idées quoiqu'entièrement confuses, qui leur sont restées d'un Premier Etre, les vestiges presqu'effacés du culte religieux, qu'ils paroissent avoir autrefois rendu à cette Divinité Suprême; et les foibles traces, qu'on remarque, jusques dans leurs actions les plus in

différentes, de l'ancienne croyance, et de la religion primitive, peuvent les remettre plus facilement qu'on ne croit, dans le chemin de la verité, et donner à leur conversion au christianisme des facilités qu'on ne rencontre pas, ou qui sont contrebalancées par de plus grands obstacles, dans les nations les plus civilisées." Charlevoix, Journal, p. 265.

On this subject, Charlevoix may surely be admitted as a competent witness. No men have more accurately studied the human character than the Jesuits; and their conversion of the natives of Paraguay, and, what is still more to our purpose, the success of their present attempts to civilize and convert the Araucanians, a nation unconquered by the Spaniards, and in the highest degree martial, and jealous of their liberties, is a convincing proof of the wisdom of their system. Their missionaries are never solitary, and therefore are not obliged to sink to the level of the savage state, in order to enjoy the privileges of social life. The Indians, also, whom they educate, are induced to marry and settle around them, under their paternal supervision, instead of being again incorporated with their uncivilized countrymen; among whom, as experience has fully shown, they would quickly lose all that they had gained.

AN

INAUGURAL ADDRESS,

DELIVERED BEFORE

The New-York Historical Society,

ON

THE SECOND TUESDAY OF FEBRUARY, 1820.

BY DAVID HOSACK, M. D.
President of the Society.

INAUGURAL ADDRESS.

Gentlemen,

Members of the New-York Historical Society,

While I acknowledge with gratitude the honourable distinction you have conferred upon me, I beg leave to assure you, that I accept this station, and enter upon its duties, with great humility. To this, the mind cannot be insensible, that appreciates the objects for which this institution was founded—the high respectability which it has attained under the auspices of those who have hitherto presided, and the duties which remain to be performed, in the fulfilment of the high expectations which the patronage of the state, and the liberal contributions of the friends of this association, have justly excited.

Allow me, for a moment, to mingle my feelings with yours, in calling your attention to the important services which have been rendered to the institution, by those who have preceded me in this chair, and to acknowledge the obligations which they have imposed on their fellow members, and upon the community.

The honourable Egbert Benson, the first President of the New-York Historical Society, may be justly regarded as its father and founder. While he presided over its destinies, and conducted it through the stages of its infancy, his exertions were unremitting, and his benefactions liberal. To found and organize an association like our own, is always a task accompanied by many obstacles; but to perpetuate its existence—to unite the zealous and active exertions of its members,

requires the incessant anxiety and attention of its patrons. Some content themselves with the gratification of giving origin to a society, and then abandon it to the rude sport of neglect and accident; it belongs to enlightened, ardent, and vigorous minds, to conduct it along through paths of difficulty, until it secures a permanent and elevated character. Posterity will unite their gratitude with ours, for the unwearied efforts, and the laudable example, displayed in the official conduct of our first President.

Under the presidency of that accomplished scholar and eminent statesman, the late Gouverneur Morris, this Society also received a great accession to its fame and usefulness, not only by the lustre of his talents, the elevated character which he sustained in the republic, and the public services which he had rendered at home and abroad, but by the constant devotion of his time to the interests and honour of his native land. His public discourses and communications, in which he was ever obedient to your call, will remain among the lasting literary monuments of the nation, and his name will find a place on the brightest page of her history. His family, since his decease, have not been unmindful of that attachment which he ever cherished and expressed in behalf of this institution. By their liberality, and for which they deserve the warmest acknowledgments of gratitude, some of the most valuable coins and medals of his cabinet, besides other donations, have been presented to this Society.

Unconnected as I am by *political* ties with his successor in office, his Excellency De Witt Clinton, I trust that I shall not invade the sphere of party politics, when I notice the exertions and liberality which he has manifested in behalf of this institution. To him we are largely indebted for much of its present prosperity. In his legislative capacity, he exerted his influence in promoting its interests, and eventually succeeded in obtaining the passage of the law, containing a grant of twelve thousand dollars. His agency in obtaining this donation was conspicuous. In addition to his literary labours, which the Society will ever appreciate with pride and satisfaction, his contributions have been numerous

and valuable. And allow me to add, that upon declining a re-election, he requested that the Society might be assured of his warm and unremitting attachment to its welfare and reputation. There is reason to expect, that at some future day, additional and important services and donations may be received from our late respected President, whose zeal in elevating the character of his native state, is duly proportioned to the abilities, the learning, and the fidelity, which he has ever evinced in her service.

But, gentlemen, while we thus do homage to those who have filled the highest stations in this Society, we cannot be insensible to the great debt of gratitude which is due to another member of this association.* I need not here recount his long-continued and disinterested services. While the bond that unites us exists, they must continue to be recollected with grateful emotions. Nor have his exertions been confined to this institution alone; they have been extended to most of the literary and benevolent associations which have recently exalted the character of our city. Those services can never be forgotten—they will live in the recollection of a grateful community, and will be the frequent theme of future eulogy.

To promote the object of this institution, is the duty of every individual member, but especially of those who are invested with its honours.

I trust I shall not make an unreasonable demand upon your patience, if I make use of the present occasion to call your attention to some objects which, although they have fallen within the views of our institution, have not been regarded in a manner correspondent to their importance.

The library of this Society particularly claims our notice. A classification of the numerous and valuable works of which it is composed, so as to render them more easy of research, appears to be much wanted; and it is essential, that the great mass of *Tracts* and *Pamphlets* should be assorted, bound, and have a place in the

* John Pintard, Esq.

catalogue. It cannot be expected, that the gentleman* who holds the station of Librarian, can conveniently, with his numerous other avocations, devote the time that may be required for this duty. You will, perhaps, think it expedient to add to the standing committee of the Society, or to institute a distinct library committee to assist in these arrangements, as well as to afford their counsel in whatever may appertain to the augmentation and direction of that department.

To obtain every work connected with American history and literature, becomes daily more important, as the United States rise in the estimation of the world. Our national character is becoming more elevated—our resources more the subject of admiration—and our political institutions a source of remark and speculation in every civilized nation of the globe. Hence, the incidents of our early history—the struggles which we passed through in the incipient stages of national existence, and the virtues which we displayed in scenes of trial and suffering, will constitute a theme of anxious inquiry.—To supply, by every possible means, the works necessary to complete our colonial history, therefore, demands our earnest exertions. Never should our researches cease or become languid, until every thing is accomplished within the bounds of industry and munificence, to supply the deficiencies of this department.—It should also be a great consideration to preserve whatever may illustrate the national, civil, literary, medical, and ecclesiastical history of our country. Already our legislative acts, and judicial decisions, and, I believe, almost every historical treatise, are deposited in our library. These constitute the basis upon which every future historian must erect his structure; but it must be strikingly apparent, that in the infancy of our literature, newspapers, magazines, and pamphlets, are frequently the only printed evidences of public transactions; and although they are too often the organs of faction, and the vehicles of private malignity and disappointed ambition, they are the depositories of valuable knowledge, and form a partial commentary on the passing events of

* The Rev. Mr. Schaeffer.

the day. Our collections, in this respect, are already highly respectable; and I beg leave to suggest the expediency of adopting such measures as may ensure to us every journal, magazine, review, and every other publication in this state. I would recommend an application to the proper authorities, in laudable imitation of the practice of Great Britain to her celebrated Museum, and of France to her Academy, to secure us a copy of every work printed in the state, to be placed on the shelves of our library. Although, individually, many such productions are fugitive and comparatively insignificant; still, collectively, they contribute to show "the form and pressure of the times," and serve to convey to posterity the literary character, the prejudices, the passions, and even the follies of the age.

The cabinet of coins and medals, in consequence of the recent liberal donations from the heirs of the Rev. Dr. Kunze, deceased, in connexion with the contributions of the members of the Society, and the additions received from other sources, has attained a very respectable eminence, and is, probably, at this time, equal in value to any other collection in the United States. At this early period of our national existence, it is pre-eminently important to procure and preserve, as opportunities may offer, every medal that commemorates great public occurrences, in military and naval achievements. Never should we forget, that the recollection of momentous and illustrious events in the annals of mankind —exalted instances of valour and fortitude—and brilliant acts of individual prowess and virtue, have found their way to after generations, through this imperishable channel. These types and emblems of glory, have survived the ravages of time and revolution, and brought to light facts of interest and magnitude in the chain of history, when the states and empires in which they were struck, have slumbered in the dust for ages, and the mausoleum and the triumphal column lost their form, grace, and beauty. It is to be regretted that this subject excites so little consideration in the infancy of our Republic, when every thing touching our national fame is so keenly and universally felt. The march of nations is before us, and the gloomy night of darkness and igno-

rance that obscures their paths, to the eyes of posterity, may one day envelop our own, however bright the sun of civilization may now beam upon us. If we would hold up the mirror of history, let us not forget our duty to ourselves, as well as to other times.

A committee on coins and medals having been some time since appointed to complete the arrangement, and to prepare a catalogue of the cabinet, it is presumed this duty has been performed, or is nearly accomplished, especially as such catalogue will form an important item in the next volume of our Collections.

Your Hall, gentlemen, is ornamented with a portrait of the founder of this cabinet, and you have designated the collection by his name—yet more is required; and allow me to express the desire we all cherish, that a biographical memoir of that learned professor and divine, be prepared under the auspices of this Society.

Connected with this subject, I suggest for your consideration, how far it may conduce to the accomplishment of one of the objects of this Society, to increase the number of the *portraits* of the eminent men of our country, particularly of the first settlers of this state, and the founders of the republic.

By such means we shall be able to give additional aid to the Fine Arts; they deserve, and should receive, more of our encouragement and support. It also occurs to me, that it may be productive of benefit to this Society, to appoint a committee for the express purpose of soliciting and collecting copies of American engravings, as well to illustrate our national history by the portraits of its heroes, its public characters, important events, and the scenery of our country, as to preserve and perpetuate specimens of the *graphic art*, which, though of modern introduction in the United States, has attained a degree of excellence that is little inferior to that of the old world.

The Society has been singularly fortunate in the nature and extent of its *manuscript* collection of facts and documents relative to the war of our revolution—some papers on that era of our national character remain yet to be gathered.

The recent war declared by Congress, in 1812, has afforded several historical works of unequal merit. Besides these compends, and others more extensive if they exist, it is the duty of the Historical Society of this State to procure, as far as it is practicable, every original document on this subject. New-York was, in an especial manner, the scene of action; some of the most momentous events occurred in this state, and we owe it to ourselves to possess at least a portion of the original materials for the future historian.

Another subject deserves the attention of our Society. Considering the eventful age in which we live—the mighty geniuses which it has exhibited—and the extraordinary characters to which it has given birth,—but few authentic biographies have been put on record. While the events in which distinguished men have participated are fresh in the recollection, and the anecdotes of their lives are familiar to their cotemporaries, great opportunities are afforded for correct portraits of character. Already has negligence in our own state suffered many interesting incidents in the lives of her early heroes, statesmen, and philosophers, to sink into oblivion. Indeed, while we allow these services and merits to remain unrecorded, we have little right to complain that foreign nations have done us injustice. No refutation of their calumnies can prove more effectual, than a fair exhibition of the virtues and talents of our illustrious men.

Among those who have served the state, with their commanding talents, but without any monument of our gratitude, the late Lieutenant Governor, Cadwallader D. Colden; the late Vice-President, the venerable George Clinton; the late Samuel Jones, and the Right Rev. Bishop Provost, have the highest pretensions to consideration. Although the first has secured to himself the permanent remembrance of posterity, by his invaluable history of the Five Nations, his correspondence with Dr. Franklin, and his medical disquisitions, yet no one has traced his various services to the commonwealth, during an administration distinguished for important events, and scenes of danger and responsibility. The civil and military career of the late George Clinton,

holds forth a noble and fertile subject for the pen of genius and eulogy. His sagacity, his valour, his fortitude, and more than all, his stern unbending integrity, offer an example worthy to be retained in the temple of Fame, among the models of ancient virtue. Whoever shall trace out his acts in the cabinet and in the field, and draw the faithful picture of his character, will expand the lustre of a great name, contribute to the celebrity of the state, and to the honour of the nation.— When such a man arises on the theatre of public life, it is to guide and to save; and if there be talent or power to perpetuate the memory of his deeds, a proud and enlightened people should never slumber over an apathy that is daily consigning them to neglect.

I rely on the testimony of others, when I speak of the eminent legal talents of the late Samuel Jones: common consent has indeed assigned him the highest attainments in jurisprudence, and the appellation of the Father of the New-York Bar. He justly ranked among the most profound and enlightened jurists of this or of any other country; and acted a useful and conspicuous part in organizing our courts and judiciary system, in this state, after the close of the revolution. His industry, his purity of character, and his extensive acquirements, present an inspiring example to the young candidate for future renown. It is also to be earnestly hoped, that the evidence of the varied learning and elegant literature of the late Bishop Provost, whose life embraces much of the early history of the Church, will not rest on the oral testimony of his cotemporaries; but that some gentleman of congenial feelings and pursuits may be selected, who will assume the task of making them known to posterity.

The Cabinet of Natural History belonging to this Society, was first established in 1816. At that time no other public institution existed in this city, for the collection and classification of the objects of this department of knowledge, or for obtaining the mineralogical and other natural productions of the United States.— Since that period, the Lyceum of Natural History has been organized; and, under the auspices of its learned

and efficient President,* supported by the zeal of its young and active members, has acquired character and reputation, and promises to be eminently useful in the cultivation of this branch of science.

Under these circumstances, it merits our consideration, how far the benefit that was contemplated by the Historical Society, in the erection of this department of Natural History, will not be more essentially and completely accomplished by the Lyceum, and whether the proposed transfer of the Cabinet will not prevent collision in our labour, and by concentrating the objects in view, promote the interests of science, and advance the respectability of the New-York Institution.†

I feel it my duty here to suggest the propriety of instituting a gold or silver medal for the best topographical and statistical account of the different counties of the state. In the memoirs of the Connecticut Academy of Arts and Sciences, there are accounts of several counties in that state, particularly one by that late learned and distinguished theologian and scholar, Dr. Dwight; and I cannot deem it unbecoming the dignity of our Society, to imitate the meritorious example of our eastern brethren. If, however, contrary to all expectation, this suggestion should prove unsuccessful, through the opposition of the ignorant, or the evilminded, for the *Bohon Upaz* is not exclusively the product of Java, vigorous exertions to the same purpose should not be spared to obtain the aid and co-operation of active members in different sections of the state. Every thing touching the power and resources of any section of the immense empire on this side of the Atlantic, over which millions of freemen are diffusing civilization, arts, and refinement—every thing calculated to reveal moral and physical strength, is eminently entitled to attention. It gives confidence, and imparts enterprise at home; it inspires admiration, and commands respect in foreign countries.

The settlement of the western counties of this state is so recent, that many of the original settlers are still

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* Dr. Samuel L. Mitchill.

† Since the delivery of this Address, the object here suggested has been carried into operation.

living, from whom may be easily procured every fact of importance. The state of New-York was once the residence of a tribe of Indians, by far the most distinguished of any who have been known on this continent.—Their manners, their history, and above all, the monuments of art which they have left behind them, invite the attention of all those who delight to contemplate the native, moral, and intellectual character of our species. The most enlightened nations have, by direct effort, encouraged such inquiries.

The *statistical* views of Scotland and of Ireland, have been read or heard of by us all: the late Emperor of France had nearly completed a survey of his dominions on a gigantic scale, and the English nation are now in the successful prosecution of a similar design.

The publication of a *third* volume of the collections of this Society, appears to be loudly demanded. It is with some pain I observe, that this institution has existed upwards of sixteen years, and that only two volumes of its transactions and papers have appeared, whilst the Historical Society of Massachusetts, in little more than the same period of time, has published no less than sixteen volumes.

This deficiency on our part, cannot have arisen from lack of materials, but from the want of patronage, for our shelves abound in rare printed tracts, and in manuscripts of great value. If every member of this Society would enter into an obligation to purchase a copy of each volume of its transactions as it may appear, the price of which would be amply remunerated by the value of its contents, the Society would be enabled, by this security alone, to publish an annual volume of its papers and communications.

This measure would not only be the means of preserving important documents from oblivion, but at the same time would direct that attention to the history of our own country, which is now in a great degree devoted to that of modern Europe, or to a classical and critical acquaintance with that of Greece and Rome.

AN

ANNIVERSARY DISCOURSE,

DELIVERED BEFORE

The New-York Historical Society,

ON

THURSDAY, DECEMBER 28, 1820.

BY HENRY WHEATON, Esq.

NEW-YORK HISTORICAL SOCIETY,

23th DECEMBER, 1820.

RESOLVED, That the thanks of this Society be presented to Mr. WHEATON, for his eloquent and instructive Discourse, delivered this day before the Society, and that he be requested to furnish a copy for publication.

RESOLVED, That Col. JOHN TRUMBULL, the Rev. F. C. SCHAEFFER, and H. M. FRANCIS, Esq. be a Committee to communicate to Mr. Wheaton the preceding resolution.

JOHN B. BECK, *Recording Secretary.*

ANNIVERSARY DISCOURSE.

In performing the duty which has been assigned to me by the Society, I have supposed that I might venture to depart a little from the course which has usually been pursued by my predecessors, and speak to you of a subject, not directly connected with the History and Antiquities of America, the more immediate object of your labours and researches. I therefore propose to trace a rapid view of the History of the Science of *Public* or *International Law;* a subject which is, in itself, of great interest and importance, and closely allied with other historical studies, but which does not readily admit of those literary embellishments, which are so delightful and refreshing to the mind, but which are not always found associated with grave discussions, in which the moral and political interests of mankind are involved.

If we look back upon the history of the human race, we shall find that the polished nations of antiquity, the monuments of whose arts and literature still continue to furnish us with models and standards of taste, had very imperfect notions of international justice. With them, *Foreigner* and *Barbarian* or *Enemy*, were synonymous, in language and in fact.* By the strict letter of the law of nations, as observed in that age, and by its too frequent practice, the persons of aliens were doomed to slavery, and their property to confiscation, the moment they passed the bounds of one petty state, and touched

* *Hostis* enim apud majores nostros is dicabatur, quem nunc *Peregrinum* dicimus. Indicant duodecim tabulæ, *Aut Status dies cum hoste. Itemque.* adversus *Hostem æterna auctoritas. Cic. de Offic. L.* 1. *cap.* 12.

the soil of another. Nothing but some positive compact gave them any exemption from this unsocial principle.* Piracy was unblushingly practised by the most civilized nations which then existed. The peaceful merchant, who exercised his useful and almost benevolent industry on the seas, was liable to be plundered by men with whom he or his country had no quarrel: and even the disinterested benefactor of his species,—the philosopher who visited foreign countries to enrich his own with the merchandise of science and art,—was exposed to be captured and sold as a slave to some *Barbarian* master. As to these *Barbarians* themselves, the acutest of the Grecian philosophers gravely asserts, that they were intended by nature to be the slaves of the Greeks, and that it was lawful to make them so by all possible means.†

If such were (what may be called) the *pacific* relations of the states of Greece with each other, and with the rest of mankind, it may easily be imagined that the rights of *War* were exerted with extreme rigour. To reduce prisoners, taken in war, to slavery, was the universal practice of the ancient world. But the cold-blooded cruelty with which the Athenians (whose exquisitely refined ears were wounded with the *barbarous* accents of the foreigner, and whose tender hearts were melted with the tragic strains of Euripides) could deliberately devote, by a public decree, to mutilation or death, those whom they ought, even in compliance with their own national prejudices, to have regarded as brethren, because they boasted a common origin, worshipped the same gods, and spoke the same beautiful and perfect language,—is a striking proof how lamentably deficient was their theory and practice of natural law. Their own municipal constitution, even after the

* The Greeks termed those who were connected with them by compact, Ἔνσπονδοι, literally those with whom they had poured out libations to the gods; and those who were not entitled to claim the benefit of this sort of alliance, were called Ἔκσπονδοι, that is, what we should term, outlaws. The ablest modern historian of Greece observes, that "It appears to have been very generally held among the Greeks of that age, that men were bound *by no duties to each other without an express compact.*" And the same writer furnishes, among other instances, a practical example of this rule, in the cruel conduct of the Spartans to their prisoners taken upon the surrender of Platæa.—*Mitford's Hist. of Greece, vol.* I. *c.* 15. *s.* 7.

† Aristot. Polit. L. 1. c. 8.

wisdom of Solon and other sages had been lavished upon its improvement, was wholly ineffectual in protecting every thing for the security of which men enter the social state. The natural inequality of mankind, a dogma of their philosophy, was adopted as a practical maxim of government; and personal slavery lay at the very foundation of the state. The free citizens indeed enjoyed political liberty without measure, and, it may be added, without restraint. But for the protection of private rights there was no effectual guarantee. Individual property, and life, and liberty, were almost as insecure as under any oriental despotism; and all moral independence and individual freedom of thought and action, were swallowed up in a blind devotion to country. The political power of that country was wielded by the populace of the town of Athens alone, who lorded it over four hundred thousand slaves, and perhaps a million of subjects and allies, whose condition was little better than that of slaves. Their wisest and best men did not hesitate to sacrifice to the policy of the state the plainest maxims of humanity and justice; and the rigid virtue of Aristides himself scrupled not to invoke upon his own head all the crime and all the punishment of a perjury, committed for (what was deemed) the interest of the people: as if there was any interest so important as the observance of those rules of morality by which human society is preserved!*

But even patriotism itself was forced to yield to the more powerful influence of a superstition which has been called "*generous*," but which bore no fruits but those of a blind and bigotted intolerance. I willingly acknowledge the grand achievements of the Athenian democracy in arts and in arms;—the great men and magnificent monuments it produced;—the broad light

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* Thucydides has correctly stated the leading political maxim of his countrymen, "That to a King or Commonwealth nothing is *unjust* which is *useful*;" and the same idea is unblushingly avowed by the Athenians, in their reply to the people of Melos. Aristides distinguished, in this respect, between public and private morality: holding that the rules of justice were to be strictly observed towards individuals; but as to public affairs—ἐν τοῖς κοινοῖς πολλὰ πράξαι πρὸς τὴν ὑπόθεσιν τῆς πατρίδος ὡς συχῆς ἀδικίας δεομένην.—*Theophrastus apud Plutarch in Aristide.* Cicero's theory of justice seems to have been more liberal, (*Cic. Off. l. 3. c. 11*;) though the practice of his countrymen varied as much from it as their religious notions differed from his sublime conceptions.

it has cast across the path of human improvement. But we ought not to be so much the slaves of our classical prejudices, as not to see that even these splendid acquisitions may be purchased too dearly, if they are bought by the entire sacrifice of justice and humanity, in the conduct of foreign policy; and the subversion of private rights, of domestic and social happiness: consigning to brutifying servitude four-fifths of the species, and those all of the same complexion, and nearly all of the same race and language, with their masters; and degrading the virtuous part of that sex, on whose intellectual and moral cultivation mainly depends the happiness of society, nearly to the level of domestic slaves; whilst the Aspasias, and others, who ought to have been degraded by their vices, were the only women thought worthy of participating in the refined society of accomplished and illustrious men. The blood of their greatest political and moral benefactors is upon the heads of this people. With them, the ostracism and the hemlock were too often the rewards of pre-eminent virtue and patriotism. If it were really, as has been supposed by some, the intention of Hobbes, in translating Thucydides, to disgust his countrymen and cotemporaries with republican government, and to deter them from attempting to re-model their political institutions after the Grecian fashion, he could not have adopted a more effectual method than to put into the hands of the English readers of his day the work of this accomplished historian, in which are painted, with horrible fidelity, the features of the public conduct of states, over which the splendour of arts and arms had thrown a brilliant illusion, which nothing but the sober realities of such a history could dissipate. Most of the mistakes which have been committed in the attempts to establish popular governments in the great nations of Europe, may be traced to a servile imitation of forms of policy wholly unsuited to the circumstances and condition of society in modern times. The sagacious philosopher of Malmsbury well knew that this was the besetting sin of the political architects of his age; and as they had no other and better models in view, his purpose was accomplished if these were rejected.

The institutions of Sparta are still less worthy of our admiration than those of Athens. It was the aim of Lycurgus to fashion a warlike republic with the inflexible rigidity of a monastic institution; to doom a little state never to increase in wealth or populousness: thus attempting to counteract the laws of nature, and the beneficent principles which the science of political economy has since unfolded. The success was worthy of the design. His immutable code did not root out ambition or avarice from the human breast; and his system of education, though it might restrain sensuality, gave full scope to the most ferocious passions. The youth of Sparta were trained like bloodhounds to the chase of the *Helots;* or rather like tigers, they were taught to lie in wait for, and crouch, and spring upon these unhappy men in the woods and fields. The Lacedemonian government was a narrow, illiberal, and jealous aristocracy, and the patron of the aristocratical faction all over Greece: and as the democratical governments naturally looked up to Athens for support, and there was no federative union or general superintending authority to check and control them, these rival powers kept every other state in continual commotion and furious disorders, which thinned their population by proscriptions, banishments, and massacres.

The Romans certainly deserve, in some respects, a higher moral estimation than the Greeks; although they were confounded in the same indiscriminate appellation of *Barbarians*, which the latter haughtily conferred upon the rest of mankind. The early ages of the Roman commonwealth present the singular aspect of a civil society, in which the highest privileged class was set apart from the rest, and formed (as it were) another distinct, independent state in the bosom of the republic; monopolizing nearly all its wealth, and arrogating all its honours; neither *marrying nor giving in marriage* with the humble Plebeians, who were held in contempt and aversion, and who, in the miserable relation of debtors, were subjected to the most cruel oppressions, by their Patrician creditors.—From the time when the People began to assert the rights of human nature against the Aristocracy who had expelled the

Tarquins only to take their place,—the ill adjusted constitution of Rome fluctuated in perpetual mutations. It always indeed preserved the same character which had been indelibly impressed upon it by its martial founder, of a military state, the very law of whose being was perpetual war, and whose constant occupation was the colonization and government of conquered countries.

> Tu regere imperio populos, Romane, memento
> Hæ tibi erunt artes, pacisque imponere morem,
> Parcere subjectis, et debellare superbos.

After the Plebeians had risen to something like social and political equality with the Patrician caste, and until the downfal of the Republic, it presented the singular, and (to us) inexplicable phenomenon of two (or rather three) legislative authorities, each equally supreme, and acting in the same sphere, without any intermediate power to balance or reconcile their jarring pretensions. The Senate was the proudest, sternest, and perhaps in some respects, the most highly gifted, virtuous, and accomplished Aristocracy the world ever saw. It maintained a perpetual civil war with the people, in which we remark the same want of regard for justice and order,—for private rights and the moral independence of individuals, as in the Grecian democracies. The circumstance that, notwithstanding the feebleness of legal restraints, not a single Roman citizen's life had been sacrificed in all their numerous domestic contentions from the first foundation of the Republic until the sedition of the Gracchi was extinguished in their blood, would speak loudly in favour of Roman manners and morals,—did not the social, servile, and civil wars, following each other in rapid and sanguinary succession, and the wide wasting proscriptions of Marius and Sylla, falsify this apparent evidence of their superior mildness, and remind us of those scenes where their appetite for carnage was rendered more keen by the horrid spectacle of the gladiators, pouring out their blood for the amusement of a ferocious populace.

Their intercourse with foreign states was but too

conformable with this domestic discipline.* They pursued for more than seven centuries a scheme of conquest, conceived in deep policy and prosecuted with inflexible pride and pertinacity, at the expense of all the useful pursuits and the charities of private life. All solicitude for the fate of their fellow-citizens, captured in war, was disdained by their stern and crafty policy.

> Hoc caverat mens provida Reguli
> Dissentientis conditionibus
> Fœdis, et exemplo trahenti
> Perniciem veniens in ævum,
> *Si non periret immiserabilis*
> *Captiva pubes.*

Fortunately for the world, no modern civilized society, with its habits of industry, order, and luxury, could endure such a long protracted effort of war and conquest. But these *Barbarians* (as the Greeks called them) despised commerce, and never felt its humanizing influence; their manufacturing skill advanced not beyond the production of the rudest fabrics, by the labour of slaves; and though they professed to honour agriculture, it was in fact so much neglected that the Imperial people were fed from the granaries of their allies and subject provinces. The institution of the *Fecial* law, and of a college of Heralds to expound it, and to maintain their external relations, is the only appearance of their recognising an international code, distinct from their own municipal jurisprudence; and is contrasted with their oppressive conduct towards their allies, and their unjust and cruel treatment of their vanquished enemies. "Victory," in their bold metaphorical language, "made even the *sacred* things of the

* The ancients have left us no professed treatise upon any branch of, what we call, the law of nations; the work of Aristotle upon the laws of war not having come down to modern times. "Veterum Philosophorum nihil extat hujus generis, neque Græcorum, quos inter Aristoteles librum fecerat cui nomen Δικαιωματα των Πολεμων,—* * * etiam Romanorum veterum libri de jure feciali nihil ad nos sui præter nomen transmiserunt." *Grot. de J. B. ac. P. Proleg.* 36. Cicero indeed eulogizes Pompey's knowledge of what we should call the diplomatic and conventional law of nations—"singularem quandum laudem ejus et præstabilem esse scientiam, in fœderibus, pactionibus, conditionibus, populorum, regum, exterarum nationum: in universo denique belli jure ac pacis." (*Cic. Orat. pro. L. Balbo. c.* 6.) But let the history of the Roman policy towards foreign nations be read with the philosophical eyes of Montesquieu, and it will be seen how little there was of law or justice in it. See the 6th chapter of his *Grandeur et Decadence des Romains.*

enemy, *profane*;" confiscated all his property, moveable and immoveable, public and private; doomed him and his posterity to perpetual slavery; and dragged his Kings and Generals at the triumphant chariot wheels of the conqueror, thus insulting a fallen foe, and wounding his spirit and pride of soul where alone he could any longer feel. After the usurpation of Augustus, the Roman empire became one vast prison house, from which there was no escape but by suicide.* Its bounds were co-extensive with the civilized world, and there were no cities of refuge similar to the modern free states, which in the better times of European history subsisted unhurt in the midst of mightiest monarchies, and were resting places for the feet of the persecuted and the oppressed. Under the best of the emperors, some innocent men must have felt the heavy arm of despotic power: but "when Nero and Caligula swayed the Roman sceptre, it was a fearful thing to offend these bloody rulers. The empire had already spread itself from clime to clime, and from sea to sea. If their unhappy victim fled to the rising of the sun, where the luminary of day seems to us first to ascend from the waves of the ocean, the power of the tyrant was still behind him. If he withdrew to the West, to Hesperian darkness, and the shores of Barbarian Thule, still he was not safe from his gore drenched foe." It was time that the earth was purged from this all pervading, all grasping tyranny. In her dying struggles with the Barbarians of the East, and the North, and the South—the Parthians, and their successors, the new Persians, who arose in the time of Alexander Severus, under the dynasty of the house of Sassan—the Mohammedan Arabs, issuing from their burning deserts, drunk with fanaticism—and the Gothic and Vandal savages,—Rome suffered dreadful but merited retribution, and the "bloody instructions" which she had "taught," returned "to plague the inventor."†

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* During the reign of Tiberius, one Carvilius finding himself accused of some real or pretended crime, put an end to his life. Being informed of the fact, Tiberius exclaimed, "That man has escaped from me." *Suetonius in Tib. s.* 61.

† An impartial review of the conduct of this wonderful race, devested of the prejudices of classical education, will probably induce us to concur in the severe judgment of the ingenious author of the *Notti Romane*—"Per la qual cosa

The more closely we examine the situation of the ancient world, the more shall we lose our reverence for the moral character and political institutions of antiquity. Although we may perhaps concede to the ancients the superiority in letters and the fine arts, yet we must forget how much higher vantage ground we occupy on the field of time, and that we enjoy the benefit of the successive improvements made by the long ages which have intervened, before we can acknowledge their supremacy in other respects. So far from admitting the truth of the assertion, that there are "no discoveries to be made in morality, nor many in the great principles of government," we must think that these sciences were, until almost within our own times, in their very infancy. Nearly all the finer inventions of political science are of modern, and some of them, of very recent origin. The balance of power between different states and the division and balance of powers within the same state; the representative system, the growth of the Gothic constitutions of Europe, enabling the people of a great state universally to exercise their sovereignty, instead of confining it to a single city, or destroying its practical effect, by lavishing its nominal privileges upon millions of citizens scattered over immense regions; the improvement, for which the world is indebted to the American people, of a political union between several independent states, by a federative system, operating not merely upon these states in their sovereign capacities, but upon the entire mass of the nation collectively and individually; the right on the part of individuals, and correspondent duty on the part of governments and sovereign states, of freedom of conscience and religious toleration; the salutary truths of the new science of political economy, which it is easy

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volgendomi ora dietro a compendiare le sentenze da me udite dai Romani stessi sopra i meriti loro, conchiude la mente mia, ch'eglino furono grandi, più che buoni, illustri più che felici, per instituto oppressori, per fortuna mirabili, per indole distruttori, generosi nelli malvagitá, eroi nelle ingiustizie, magnanimi nelle atrocità. Per le quali funeste illusioni tanto ancora ne rimbomba la fama, che lo strepito suo fa timido il giudizio di molti, e sommerge la voce de' saggi. Io pertanto moderai quella eccelsa opinione che ebbi del Popolo Romano, talchè senza diminuirsi in me l'ammirazione per le sue incredibili imprese, giudicai però fosse un riposo del mondo, che una gente, la quale tutto lo bramava, e tutto sempre lo perturbó, fosse alfine vinta del tempo." *Le Notti Romane al Sepolchro de Scipione, Notte Terza, Colloq.* VI.

to foresee are destined to have so important an influence on the happiness of mankind ;—all these principles were equally unknown and unpractised by the nations of antiquity. The science of international jurisprudence is also entirely of modern structure, except so far as some of its materials may have been borrowed from the Roman civil law. Its foundations may be traced to a period nearly coincident with that memorable epoch in the history of mankind, the Revival of Letters, the Reformation of Religion, and the Discovery of the New World. This bright and glorious morning had been preceded by a long night of darkness and ignorance. But even in the thickest gloom of the Middle Ages, the lights of knowledge were not wholly extinguished. Here and there some noble spirits still watched the feeble flame, and waited with impatient solicitude for the coming day. The indelible impression left by the Roman law upon the nations whose fierce spirit it had long tamed, and whose yoke it had lightened, was revived by the fortunate discovery of the Pandects of Justinian at Amalfi. The scholastic philosophy, which in general led men astray from the paths of true knowledge, was, however, the means of invigorating their faculties, and conducting them to the confines of that noble science which professes to teach the rules of justice between nations, as distinguished from general ethics on the one hand, and the municipal jurisprudence of particular states on the other.

It is the glory of Christianity to have contributed essentially to the progress of civilization and humanity, by mitigating the evils of slavery in the decline of the Roman empire, and extirpating it when it sprung up anew in the rank soil of the feudal system. *Telemachus*, the monk, who lost his life in a bold and generous effort to abolish the combats of the Gladiators, (that foul stain upon the boasted magnanimity of the Roman character,) was the forerunner of the heroic men who have since *compassed sea and land* in the service of humanity. The foundation of hospitals, colleges, schools, and other institutions for immortalizing private charity, (however ill-directed these establishments have sometimes been, and whatever abuses may

have silently crept into them in the progress of time,) had their origin in high motives, which could not be kindled by heathen philosophy or religion. The virtues of patriotism and courage were indeed successfully cultivated by the Greeks and Romans: but the nobler duties of benevolence and humanity, the mild charities of life, and that expansive affection which teaches us to consider the whole human race as our brethren, were taught in another school, and by other masters. And the science, of whose history I have undertaken to speak, has been carried to its greatest perfection by that class or family of nations over whom Christianity (in various forms, indeed, but in all with some good fruits) has exercised its greatest influence; I mean the civilized nations of Europe, and their colonies in the new world. They have been gradually blended together into one great commonwealth, by the circumstance of their Teutonick origin and ancestry; by their joint inheritance of the Roman law; by the combined influence of the feudal system and the spirit of chivalry; by the intimate intercourse of colonization, commerce, and letters; and, above all, by the profession of Christianity, in forms more or less pure. Although of barbarous origin, and when they first sat down on the ruins of Roman grandeur, of barbarous manners, they have assimilated to their own native character, whatever was useful and good in the institutions and literature of ancient Greece and Italy. In the Eastern Empire, the Mohammedan conquerors remained separate from the vanquished race—*Doris amara suam non intermiscuit undam.* They caught no inspiration from the finished productions of classical genius: the Koran is their all-sufficient institute of ethical and political science; and their manners, government, and peculiar law of nations, still remain, for the most part, unchanged by the rapid improvements which have taken place in the Western world since the capture of Constantinople by *Mahomet* the Second.

So entirely distinguished is the international law of Christendom, from that which prevails among the other classes of nations which people the globe, or between those other nations and Christendom itself,

that it may with truth be asserted, that there is no law of nations universally binding upon the whole human race; or, to speak more properly, no other than that of reciprocity—of amicable or vindictive retaliation, as the particular case may require the application of either. There is no universal and immutable law of nations, which all mankind, in all ages and countries, ancient and modern, savage and civilized, Christian and Pagan, recognise in theory or in practice, profess to obey, or in fact obey; no law of nations similar to that law of right reason, of which Cicero speaks in the splendid fragment of his treatise *De Republica*, which, like a Corinthian capital amidst scattered ruins, makes us lament the destruction of the beautiful edifice of which it once formed a part.*

It is a fundamental error into which some speculative writers have fallen, to suppose that the law of nations is merely the law of nature applied to the conduct of independent nations and states. It may, indeed, have a remote foundation of this sort: but the immediate, visible basis on which the public law of Europe, and the nations which have sprung from the European stock, has been erected, are the customs, usages, and conventions observed by that portion of the human race in their intercourse with each other. It is said, indeed, that there is a *necessary* and *internal* law of nations, which is binding upon states as the laws of morality are binding upon individuals; and also a *voluntary*, *customary*, and *conventional* law of nations, which is the result of tacit or express consent. But it is evident, that the former, practically speaking, must almost entirely consist in the principle of reciprocity or retalia-

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* Est quidem vera lex, recta ratio, naturæ congruens, diffusa in omnes, constans, sempiterna, quæ vocet ad officium jubendo, vetando a fraude deterreat, quæ tamen neque probus frustra jubet aut vetat, neque improbos jubendo aut vetando movet. Huic legi neque abrogari fas est, neque derogari ex hâc aliquid licet, neque tota abrogari potest. Nec vero aut per senatum aut per populum solvi hac lege possumus. Neque est quærendus explanator aut interpres ejus alius. Nec erit alia lex Romæ, alia Athenis, alia nunc, alia posthâc, sed et omnes gentes et omni tempore una lex et sempiterna, et immortalis continebit, unusque erit communis quasi magister et imperator omnium Deus. Ille legis hujus inventor, disceptator, lator, cui qui non parebit ipse se fugiet et naturam hominis aspernabitur, atque hoc ipso luet maximas pœnas etiam si cætera supplicia quæ putantur effugerit. *Fragm. lib.* iii. *Cic. de Repub. apud Lactant.*

tion: because it is clear, that no two nations, not of the same class, (the Chinese and our own, for example,) can possibly agree as to what constitutes the proper rule or measure of justice, between sovereign states, existing independently of each other, like individuals, in (what is called) a state of nature; since we know that there is an infinite variety in the notions which men of different ages and countries entertain of commutative justice, and other moral virtues; and they can no more appeal, in this matter, to a common standard, universally acknowledged by all, than in any question of mere municipal right or private morals. Thus, when civilized nations have to do with those states who make slaves of their captives, they are usually obliged to conform to that practice, and to ransom their citizens who are so unfortunate as to be made prisoners of war. The public law of Europe is no more obligatory upon the Asiatic and African nations, than the municipal code of any one state of the world is applicable to another; and it would be as absurd to apply it to them, as it was to punish a Hindu bramin for violating a law enacted on this side the Cape of Good Hope, by a foreign legislator, and in an unknown language. Yet the spirit of bigotry once induced the civilized powers of Europe to hold it as a maxim, that the public faith, though ever so solemnly pledged, was not to be kept with these *infidels;* and the Barbary states, in particular, were regarded and treated as pirates, and enemies of the human race: *Bugi ed Algieri, infami nidi di Corsari*, as Tasso calls them. But the increasing good sense of mankind has conceded, even to them, the rights of legation and war in form; reciprocating to them indeed their own usages, but faithfully observing all pacts and conventions made with them in the same manner as public treaties between the civilized states of Europe.*

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* Le *droit des gens* est naturellement fondé sur ce principe, que les diverses nations doivent se faire, dans la paix, le plus de bien, et, dans la guerre, le moins de mal qu'il est possible, sans nuire à leurs veritables intérêts.

L'objet de la guerre, c'est la victoire; celui de la victoire, la conquête; celui de la conquête, la conservation. De ce principe et du précédent doivent dériver toutes les lois qui forment le *droit des gens.*

But, on the other hand, if this distinction between the natural, and the customary or conventional law of nations, be applied to nations of the same class, such as those of Christendom, for example, we remark, that they never have occasion to refer to the natural law, except in such new cases not provided for in the customary or conventional code which may arise in their intercourse with each other; and even there the questions and doubts which arise are usually resolved, not so much by a reference to general principles, as by analogy to the rules and maxims known and acknowledged by both parties, or are adjusted and compromised by new pacts and conventions, which at first serve as a rule between the contracting parties, and are afterwards incorporated into the general law.—If, however, it be meant only to assert, that sovereign states are moral persons, and as such, are subject to the obligations of morality, and bound to the practice of the virtues of humanity and justice, we acknowledge the beauty of the figure of speech or fiction of law by which this important and salutary truth is inculcated. But the duties of these artificial beings are more properly the object of ethics than of jurisprudence. So far as these duties are ascertained by positive institution, they may indeed be enforced by such means as the law of nations uses, precisely as those duties of private morality which are incorporated into the municipal code may be enforced by its appropriate means. But, to use the words of an eminent civilian, "A great part of the law of nations stands upon the usage and practice of nations. It is introduced, indeed, by general principles; but it travels with those general principles only to a certain extent: and if it stops there, you are not at liberty to go further, and to say, that mere general speculation

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Toutes les nations ont un droit des gens: et les Iroquois mêmes, qui mangent leurs prisonniers, en ont un. Ils envoient et recoivent des ambassades; ils connoisent des droits de la guerre et de la paix: le mal est que ce droit des gens n'est pas fondé sur les vrais principes. *Montesquieu, Esprit des Lois, liv.* 1. *ch.* 3.

He deduces the peculiar law of nations, prevailing among different races, from their peculiar moral and physical circumstances, in the same philosophical spirit with which he traces the origin and history of the civil laws of different nations. See what he says of the law of nations of the Tartars, and other pastoral nations—*Liv.* 18. *ch.* 12-20.

would bear you out in a further progress. For instance, on mere general principles, it is lawful to destroy your enemy; and mere general principles make no great difference as to the manner by which this is to be effected; but the conventional law of mankind, which is evidenced in their practice, does make a distinction, and allows some, and prohibits other, modes of destruction; and a belligerent is bound to confine himself to those modes, which the common practice of mankind has employed, and to relinquish those which the same practice has not brought within the ordinary exercise of war, however sanctioned by its principles and purposes."* It is indeed manifest, that the law of nations cannot rest for its main foundation, upon the principles of natural law, or that it must be greatly modified in its application to sovereign states; since the very relations which grow up between highly refined and civilized societies are entirely unknown in what is called a state of nature: and the customs which regulate the intercourse between barbarous communities, are much wider deviations from that law which *is written on the hearts of men*, (as we civilized nations read its precepts,) than the voluntary or conventional law of civilized nations has shown even in the most unfortunate periods of European history. But the voluntary law of nations has very little more connexion with, or similitude to, the natural law, than it has with any particular municipal code—that of Rome, for example: and indeed much less than with the Roman law: for a considerable portion of the European law of nations is founded upon the civil code. It has adopted many of its maxims, borrowed its terms, and continually refers to its analogies.

Though the Romans had but little regard for the law of nature, as applicable to the intercourse of independent nations and states, except so far as they were influenced by superstition in declaring war with solemn forms, and sanctioning peace with the religion of an oath, yet such is the comprehensive spirit in which their

* Sir W. Scott in *Rob. Adm. Rep. vol.* iv. *p.* 140

municipal jurisprudence was conceived, and the bold and masterly hand with which its great outlines were traced, and afterwards filled, that it has contributed essentially to the construction of the edifice of public law in modern Europe. There is in the pictures which the classical writers have left us of the private manners of the old Romans, a calm and placid dignity, which is strongly contrasted with the dark features of their political character and conduct; but which admirably fitted them to perform the duty of consultation in the laws.

> Romæ dulce diu fuit et solemne, reclusa
> Mane domo vigilare, clienti promere jura.

The exclusive prerogative which the Patrician order (certainly the most enlightened class of the Roman state) so long asserted of administering justice, and the usage which insensibly grew up of certain illustrious families devoting their peculiar attention to the study of jurisprudence, and transmitting from father to son the knowledge which they had acquired as a private inheritance, and a most important instrument of political power and influence, must certainly have contributed to the perfection of the science, in a republic where no other liberal pursuit than this and the military profession, was for a long time thought worthy of its ingenuous citizens. In performing this dignified office of interpreting the laws to their humble *clients*, they invented a sort of judicial legislation, which was improved from age to age by the long line of *jurisconsults*, who followed each other in regular succession from the foundation of the republic to the decline of the empire. The streams of Grecian philosophy mingled with their own native wisdom, and the policy of governing their vast dominions by an uniform rule, stimulated their minds to perfect the only science in which they could pretend to vie with their Grecian masters.* With all their

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* Adam Smith observes, that "though the laws of the twelve tables were many of them copied from those of some ancient Greek republic, yet law never seems to have grown up to be a science in any republic of ancient Greece. In Rome it became a science very early." *Wealth of Nations, b. 5. c. 1. part 3.*

faults, and errors, and even crimes, we cannot contemplate without enthusiastic emotion, the great fame and fortune of the Roman people in this particular. Although its martial glory has long since departed, the ETERNAL CITY still continues silently and peacefully to rule the greatest portion of the civilized world. In every country of Europe, with the exception of England and the Scandinavian nations alone, the Roman jurisprudence either constitutes the law of the land, or is worked up into the municipal code of each particular state so as to give a character and a tone to all its legal institutions. It therefore was no idolatrous enthusiasm which induced one of the greatest lawyers of modern times to say, "that to the Roman jurisconsults alone had Justice revealed all her mysteries. Legislators, rather than jurists, though mere private individuals, uninvested with any political authority, they have been thought worthy, by the superiority of their minds, of giving laws to the remotest posterity; laws equally extensive and immutable; all nations still consult them and receive the responses of eternal truth. They not only expound the law of the Twelve Tables and the Edict of the Prætor, but they are the most sure interpreters of our own laws; they impart their reasoning faculties to explain our usages and customs, and by means of the principles which they furnish, they serve us as guides even when we tread in paths to them unknown."* If this warm eulogium be attributed to the brilliant imagination of D'AGUESSEAU, kindling with fond enthusiasm over the productions of a science which he had made the principal pursuit of his life, what shall we say to the colder judgment of the philosophical LEIBNITZ, who does not hesitate to compare the works of the Roman civilians in acuteness and power of analysis to the elegant demonstrations of the Greek geometers; and to trace in all of them the same uniformity and grandeur of style "as if justice herself was speaking through their organs."† .

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* Œuvres de D'Aguesseau, tome 1. p. 157. xiii. Mercuriale.

† *Leibnitz, Op. Tom.* IV. *p.* 254.—Even Mr. Stewart himself, with all his incredulity as to the superiority of the Roman jurisprudence, is obliged to confess.

There is some reason to believe that the Roman law was never so entirely extinguished in the western empire as has commonly been supposed.* The inundation from the north indeed swept away its proudest monuments, but the surface of the flood was covered with the wrecks—*Tabulæque, et Troia gaza per undas.* The utility of the rules of justice recommended them even to barbarous minds; and it was a fortunate circumstance for the return of civilization in Europe, that the interests of the clergy, the most powerful and enlightened order of men in that age, induced them to cherish whatever of respect was continued to be professed for those rules during the prevalence of the feudal system. Indeed there seems to be a certain period of society when priestcraft, with all the evils inseparable from it, is the most effectual means of reclaiming men from barbarous habits and practices. Thus Manco Capac and Numa Pompilius were the benefactors of their country in the only mode in which their countrymen were capable of being benefitted. Even the influence of the Papal power, which at last became so pernicious, and provoked its vassals to rebellion, was at a certain period a blessing to mankind, by affording the only shelter from Imperial ambition and feudal violence. The Italian republics sometimes reposed in safety under the shade of the tiara, and the weight of its authority was always less oppressive than the iron crown of Charlemagne. It was when Europe had advanced further in civilization and knowledge, that the pretensions of Papal Rome became injurious to the progress of human improvement, and she endeavoured to extinguish the auspicious light which was kindled by the genius of Luther in the north of Germany. But previous to this epoch, the Catholic religion, though a corrupted form of Christianity, had kept alive what little knowledge there was left in the world. The precious remains of Greek and Roman genius were preserved in the monasteries, where the copies of ancient

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that the opinion of "this very learned and philosophical jurist" is entitled to more weight than Jeremy Bentham's very different estimate of the same code.—*Stewart on the mind, vol.* ii. *p.* 126. *Note.*

* See *Boucher, Consulat de la Mer, Tome* I. *c.* viii. *p.* 34.

manuscripts were multiplied by an order of men in other respects indolent and useless. The compilation of the canon law under the patronage of Gregory the IXth, contributed to diffuse a knowledge of the rules of justice among the clergy; and the art of casuistry, which they found it necessary to invent in order to perform the duties of confession, opened a wide field of speculation, and brought them in view of the true science of ethics. This art was indeed subsequently perverted to the most detestable purposes by the Jesuits, until their falsehood was pierced by the Ithuriel-spear of Pascal. But certain it is, that the science of natural law was first cultivated in those countries, which were even then remarkable for their attachment to the Romish superstition. The universities of Italy and Spain produced during the 16th century a succession of men who laboured in this new field. Among these was *Francis de Victoria*, who is frequently cited by Grotius, and who flourished as a professor at Salamanca in 1546. He condemned with honest boldness and independence the cruel wars carried on by his countrymen in the new world, to propagate what they called Christianity in that age. It is not unworthy of remark, that the very circumstance with which the Spaniards reproached the Indian natives, and which they undertook to judge and punish as an offence against the law which Nature has *written on the hearts of men*, might have been retorted by this unfortunate race upon their merciless oppressors. One of the charges against the Inca of Peru, in the mock trial with which the Spaniards insulted this monarch before they put him to death, was, that he had permitted or commanded the offering of human sacrifices. What were the hecatombs of victims destroyed by the Inquisition but human sacrifices?

Montaigne laments that "so noble a conquest had not fallen to the lot of Alexander, or those ancient Greeks and Romans, and so great a mutation of states and empires been accomplished by hands which might have gently and gradually extirpated whatever there was of savage in the native character, and cultivated their good propensities: bringing the arts of Europe to

the improvement of their fields and habitations, and mingling the Greek and Roman virtues with those which are the spontaneous growth of the soil."* And we may be permitted to imagine, that if the poems of the Peruvians had been preserved with the fidelity which a written language can alone render permanent, instead of being left to the frail security of oral tradition, they would have perpetuated the innocent fame of their authors, and the infamy of the detestable Pizarro, whilst they verified what has been said of them, that in pathos and passion they excel the songs of every other nation ; the fame of the son of Fingal might have been rivalled by the bard who told the mournful story of Atahualpa, and the destruction of the dynasty of the Incas, in a sacred drama.†

Dominic Soto was the pupil and successor of St. Victoria at the same seat of learning, (which Dr. Johnson said he loved for its noble decision upon the Spanish conquests in America,) and published, in 1560, an elaborate treatise, "*De Justitia et Jure*," the subject of his lectures delivered at that university, and dedicated to the unfortunately celebrated Don Carlos: which he appears to have intended as a manual or institute for princes, and desires may be called a *Carolopædia*. I derive my knowledge of this obsolete book entirely from Sir James Mackintosh, who states that he had read it, and speaks of it in terms of high commendation, as containing many symptoms of the improve-

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* Que n'est tombée soubs Alexandre, ou soubs ces anciens Grecs et Romains, une si noble conqueste ; et une si grande mutation et alteration de tant d'empires et de peuples, soubs des mains qui eussent doulcement poly et desfriché ce qu'il y avoit de sauvage, et eussent conforté et promeu les bonnes semences que nature y avoit produit ; meslant non seulement à la culture des terres, et ornement des villes, les arts de deçà, entant qu'elles y eussent esté necessaires, mais aussi melant les vertus Grecques et Romaines aux originelles du pays!—*Essais de Montaigne, liv.* 3. *ch.* 6.

† A writer in the *Mercurio Peruano* affirms, that he had seen a perfect musical drama represented by the Indians, on the subject of the overthrow of the Incas, made at the time, and still preserved among them traditionally.—*Southey's Hist. of Brazil, vol.* ii. *p.* 76. *Note* 21.—Dr. Johnson's theory of the inevitable imperfection of every unwritten language, is overthrown by the recent curious discoveries as to the copiousness and rich and flexible grammatical forms of the languages of the North and South American Indians; and indeed it was before sufficiently refuted by the acknowledged beauty of the Arabian poems, composed long before the Arabic became a written language.—See *Humboldt, Recherches*, &c. *Du Ponceau & Heckewelder, Report to the American Philosophical Society, &c.*

ment consequent upon the revival of letters having penetrated into the Spanish schools, and produced good fruits. *Soto* was the arbiter appointed by the Emperor Charles V. to decide between *Sepulveda* and *Las Casas* as to the lawfulness of enslaving the natives of this hemisphere, which he determined in favour of the latter, who pleaded with such earnestness and eloquence the cause of humanity. It is said that Soto did not stop here; but condemned in the most unmeasured terms the African slave trade, which then first commenced. But I do not understand the quotation given from his treatise by Sir James Mackintosh, as implying that Soto reprobated slavery in general, or even the slave trade itself, so long as it was confined to that unfortunate portion of the inhabitants of Africa who had been doomed to servitude from time immemorial, or had been enslaved by conquest in war, which in that age was universally regarded as giving a legitimate title to property in human beings, *jure gentium*;* but only that he condemned that system of kidnapping by which the Portuguese traders seduced the natives to the coast under fraudulent pretences, and forced them by violence on board their slave ships.† We do more than justice to the wisest and best men of the 16th century, when we lend to them the enlarged and liberal views of justice and philanthropy, which are so generally diffused in the present enlightened age.

I wish also it were in my power to concur in the charitable judgment of the benevolent Gregoire, and of my learned friend and predecessor in this place,‡ acquitting Las Casas himself from the imputation of having recommended this traffic as a substitute for what he probably deemed the greater cruelty and injustice of en-

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* This was especially the fact in respect to Pagans or Mohammedans, as the inhabitants of Africa always have been. Even after this severe treatment of prisoners began to be mitigated, and the practice of ransoming was introduced, it was only extended to Christians.

† "If the report," says he, "which has lately prevailed, be true, that Portuguese traders entice the wretched natives of Africa to the coast by amusements, and presents, and every species of seduction and fraud, and compel them to embark in their ships as slaves; neither those who have taken them, nor those who buy them from the takers, nor those who possess, can have safe consciences, until they manumit these slaves, however unable they may be to pay ransom."

‡ See Mr. *Verplanck's Discourse, p.* —, and *Appendix, No.* 1.

slaving the American Indians, and consigning them to perish in working the mines of Mexico and Peru. But all that Las Casas insisted upon was, that the natives of the New Word became by the conquest the subjects of the Spanish crown, and not the private property of the conquerors; and he asserted the principle that kings have no authority to dispose of their subjects by delivering them over to other Lords or vassals upon the *Encomienda* system. The book which he wrote to maintain even this moderate, and, as it would seem to us, self-evident principle, was denounced by the tribunal of the inquisition, that steady and consistent foe of the rights of human nature.* Las Casas probably considered this doctrine as compatible with his favourite project of substituting, for the American Indians, the already enslaved natives of Africa, who were supposed to be more capable of enduring excessive labour in the torrid zone, than the mild and feeble race, in whose favour all his sympathies had been excited, by his having been an eye witness of their cruel sufferings.—You will be forcibly struck with the judicious observations upon this subject contained in a history of the Vice Royalty of Buenos Ayres, written by *Gregorio Funes*,† an acute and learned ecclesiastic and patriotic member of the Sovereign Congress of the United Provinces of La Plata, who with every disposition to see this cloud removed from the fame of Las Casas, after a candid examination of the question, reluctantly concludes that it must still rest there. The author of the classical work to which I have alluded, deduces the history of the vast regions of Paraguay, Buenos Ayres, and Tucuman, from the discovery of the magnificent river La Plata down to their recent revolution; and follows other historians in attributing the original importation of African slaves into South America to the infatuated counsels of Las Casas.‡ He regards the circumstance of their introduction as highly unfavourable to the emancipation of his native country from the Spanish

*. *Southey's Hist. of Brazil, Vol.* 2, *p.* 699. *Note* 16.

† *Ensayo de la Historia Civil del Paraguay, Buenos Ayres y Tucuman, escrita por el Doctor D. Gregorio Funes, Dean da la Santa Iglesia Catedral de Cordova. Buenos Ayres*, 1817.

‡ *Ensayo Historico, Tom.* II. *p.* 177.

yoke, because it produced a new admixture of races, whose variety was already so difficult to amalgamate in social equality, consistently with social security, and because the education of youth in the midst of this degraded race was better fitted to form tyrants than free citizens.—As to the evidence adduced by Gregoire in exculpation of Las Casas, Dean Funes remarks,—that the silence of historical writers as to cotemporary facts is but negative testimony, which by the rules of sound criticism can have but little weight when opposed to the positive authority of authentic and impartial historians: That *Herrera* deserves to be ranked in this honourable class, and by order of Philip II., had free access to the immense and valuable collection of documents contained in the archives of Simancas, an advantage which no cotemporary or subsequent writer has enjoyed, it having been ever since jealously guarded as the repository of the secrets of the Spanish monarchy.* He confidently denies that Herrera can be justly accused of not having made a judicious and candid use of these precious materials, or that he was influenced by any unworthy prejudices against the character of Las Casas; since, according to the opinion of the times in which he lived, there was nothing criminal in the project of Las Casas, and neither Herrera nor Sepulveda could look forward so far beyond the feeble lights of their own age as to accuse Las Casas of inconsistency in wishing to preserve the Indian at the expense of the African race.†

These reasons are certainly of sufficient force to compel the mind to pause before it yields to an impression, which, however benevolent and amiable in those by whom it is felt, and honourable to human nature itself, must be considered as of less importance than the permanent interests of historical truth—Though this momentary illusion may be dissipated, yet History does ample justice to the fame of Las Casas when it attributes the fatal error he committed to "the inconsistency natural to men who hurry with headlong impetuosi-

* Even Dr. Robertson, who received very liberal communications from other sources, was denied access to the *Arshivo* of Simancas. See preface to the *Hist. of America, Vol.* I.

† *Ensayo Historico, Tom.* iii. p. 511. *Note* (a.)

ty towards a favourite point." His heart was right;—and we have seen too many philanthropic designs pursued with an equal disregard to the justice or expediency of the means by which they were to be accomplished.*

Long before the appearance of these labourers in the field of natural jurisprudence, the genius of commerce, ever favourable to the improvement and happiness of mankind, had reduced into a regular code the customs and usages of the maritime nations of the south of Europe. Spain and Italy dispute with each other the honour of compiling the *Consolato del Mare*, which, besides a great mass of these customs and usages, contains a few chapters on the subject of maritime captures, which show that the leading principles of prize law, as they are now practised, had been settled at a very early period. The first printed edition of this venerable code is almost coeval with the art of printing itself, and was published in the Catalonian dialect at Barcelona in the year 1494. There is no question that it was collected

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* To the names of St. Victoria and Soto, may be added that of *Francisco Suarez*, another casuist who flourished in the same century, and was a long time professor of Theology in the university of Conimbro, some parts of whose theory of private morals are justly reprobated by Pascal in the celebrated *Provincial Letters*, but who has the merit of having clearly conceived and expressed, even at that early day, the true distinction between the law of nature and of nations.

"Concludendum igitur censeo, Jus Gentium, non præcipere aliquid tanquam ex se necessarium ad honestatem, nec prohibere aliquid quod per se et intrinsice malum est, vel absolute, vel tali supposito Statu et conditione rerum; sed hæc omnia pertinere ad Jus Naturale, ac Subinde in hoc sensu, Jus Gentium non comprehendi sub jure naturali."—*Saurez. De Legib. ac Deo Legislat. L.* 2. *c.* 7. *s.* 17.

"Differt autem primo ac præcipue Jus Gentium a Jure Naturali: Quia quatenus continet præcepta affirmativa, non infert necessitatem rei præceptæ, ex sola rei natura per evidentem illationem ex principiis naturalibus; quia quicquid hujusmodi est, naturale est ut ostendimus: unde necesse est, ut uhunde oriatur talis necessitas, &c.

"Secundo differant consequenter, quia Jus Gentium, non potest esse tam immutabile sicut naturale, quia Immutabilitas ex necessitate oritur.

"Tertio hinc fit, ut etiam in his, in quibus hæc jura convenire videntur, non habeant omnimodæ similitudinem."—*Id. L.* 2. *c.* 19. *s.* 3.

Petrinus Bellus, a Venetian, wrote a treatise *De Re Militari*, published at Venice in 1563. He was a Judge Advocate in the armies of Charles V. and Philip II. *Balthazar Ayala*, a Spaniard, was also a Judge Advocate in the Spanish armies in Flanders during the war for the emancipation of Holland, and published a practical treatise upon the police of armies and the distribution of booty and spoil. They are both cited by Grotius, and it is remarked by Sir J. Mackintosh, that Spain, under Charles and Philip, having become the first military and political power in Europe, maintaining large armies and carrying on long wars, was likely to be the first that felt the want of that more practical part of the law of nations which reduces war to some regularity.

Two other writers on the law of war, *Arias* and *Lupus*, were also Spaniards.

long previous to that period; but at what particular epoch, and by which of the numerous commercial republics with which the shores of the Mediterranean were studded in the middle ages, is matter of great doubt and uncertainty, and has exercised the ingenuity of various critics, whose zeal in exploring this dark recess of legal antiquities has been stimulated by national vanity and emulation. Some modern sciolists, who have not been able to make this old fashioned code bend to the speculative theories which they have endeavoured to impose upon the world as the true law of nations, (instead of modestly proposing them as improvements to be inserted in its text by universal consent,) have affected to treat the *Consolato* as a confused collection, the imperfect and barbarous work of an ignorant age.*—But when stripped of its Gothic dress, this code will be found to contain all the commercial jurisprudence which has been saved from the wreck of the ancient world, and the maritime customs of the middle ages, combined with many Saracenic usages brought into the West during the magnificent rule of the Caliphs, or imported by the Crusaders.—The empire of Charlemagne sheds a transient, but dazzling lustre, over the middle ages. Like Alexander, and every truly great ruler, he was deeply impressed with the importance of maritime commerce for its beneficial effects in uniting together the different nations of the earth, and as a source of national wealth and political power. The broken fragments of his empire were handed over to his successors, and under their feeble sway, Barcelona, Pisa, and other ports of Spain and Italy, were made free cities, and soon became rich and powerful republics, acting their parts in the splendid drama of the crusades, and profiting by the folly of the

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* *Hubner, De la Saisie des Bâtimens Neutres, Discours Préliminaire, p.* 11. *Emérigon*, remarking upon Hubner's spleen against the *Consolato*, says—"Cet auteur ayant trouvé dans les chapitres 273, 274, 275 et 276, suivant les editions, des décisions contraires à son système, a été de mauvaise humeur contre l'ouvrage entier; mais s'il l'eût examine avec quelque soin il se serait convaincu que les décisions que le Consulat renferme sont fondées sur le droit des gens; voila pourquoi elles réunirent les suffrages des nations: elles ont fourni une ample matière aux rédacteurs de l'ordonnance de 1681; et malgré l'écorce gothique qui les enveloppe, quelquefois on y admire l'esprit de justice et d'equité qui les a dictées." *Emérigon Traité d'Assurance, Tom.* 1. *p.* 8.

fanatics who poured from Europe into Asia. To some one of these republics the world is indebted for the compilation of the *Consolato*, many of whose provisions have been since transplanted into the more modern ordinances of the maritime states of Europe, and especially into those beautiful models of legislation, the Marine Ordinance of Louis XIV.* and the Commercial Code of Napoleon. Of both these monarchs we may already say, in the words of Gibbon, "the vain titles of their victories are crumbled into dust: but the name of the legislator is inscribed on a fair and everlasting monument."

Albericus Gentilis was the forerunner of Grotius in the science whose history we are reviewing.—He was born in the middle of the 16th century, in the March of Ancona, of an ancient and illustrious family. His father, being one of the few Italians who embraced the doctrines of the Reformation, was compelled to fly into Germany with his family, from whence he sent his eldest son *Albericus* to England, (then the refuge of the persecuted and oppressed,) where he found, not merely freedom of conscience, but patronage and favour, and was elected to fill the professorship of jurisprudence at Oxford. He did not confine his attention to the Roman law, which was then the only jurisprudence thought worthy of being taught in a scientific manner, the municipal code being abandoned to the barbarous discipline of the Inns of Court, of which Sir Henry Spelman has left us so feeling an account; but investigated the principles of the international law then prevailing in the Western world, to which his attention was also practically directed by the circumstance of his being retained as the advocate of Spanish claimants in the English Courts of Prize. The fruits of the latter were given to the world in the earliest reports of deci-

* The commentary of *M. Valin* upon this Ordinance, published in 1760, contains a most valuable body of maritime law, from which the English writers and judges, especially Lord Mansfield, have borrowed very largely. He also published a separate *Traité des Prises* in 1763, which contains all the French prize ordinances down to that period. The most important principles of municipal law contained in the ordinance of 1681, and in Valin's commentary upon it, have been copied into the new French *Code de Commerce*, which is drawn up with great care. The best commentary upon this last Code will be found in the *Discussions* at the time it was adopted.

sions on maritime law which were published in Europe.* His more scholastic and academical studies produced also the first regular treatise upon the law of war, considered as a branch of the law of nations, which appeared in modern times ;† and which, though it is overloaded with quotations, according to the prevailing taste of the age, served as a light to guide the steps of the illustrious Grotius when he entered upon and pursued the same track of investigation in the succeeding century.

Gentilis also wrote a treatise on embassies, *De Legationibus*, which he dedicated to his friend and patron, the gallant and accomplished Sir Philip Sidney, who was also the friend of civil and religious liberty,—who had "High thoughts seated in a heart of courtesy;" who was the generous protector of persecuted genius—of Hubert Languet, the author of the celebrated *Vindiciæ Contra Tyrranos*, written under the assumed but appropriate name of *Junius Brutus*, anticipating all the views of Milton and Locke, and the boldest writers of the 17th century, upon the right of resistance to oppression.‡ In his work upon embassies, Gentilis defends the moral tendency of Machiavel's *Prince*, which is commonly supposed to have been intended as a manual of tyranny, but which he insists is a disguised satire upon the vices of princes, and a full and calm exposition of the arts of tyrants for the admonition and instruction of the people, written by a man who was always actively engaged on the popular side of the factions of his own country, and was almost a fanatical admirer of the ancient republicans and regicides. Whatever may be thought of this long disputed question as to Machiavel's motives in writing, his work certainly presents to us a gloomy picture of the state of public law and European society in the beginning of the 16th century,—one dark mass of dissimulation, crime, and corruption, which called loudly for a great teacher and reformer to arise, who should speak the unambiguous language of

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* *De Advocatione Hispanica.*

† *De Jure Belli*, in three books.

‡ See *Bayle's Dict. Hist. and Crit. Tom. 3. p. 53. art. Languet. Tom. 4. Dissertation sur le Livre de Junius Brutus.*

truth and justice to princes and people, and stay the ravages of this moral pestilence.

Such a teacher and reformer was *Hugo Grotius*, who was born in the latter part of the same century, and flourished in the beginning of the 17th. That age was peculiarly fruitful in great men: but produced no one more remarkable for genius and variety of talents and knowledge, or for the important influence his labours exercised upon the subsequent opinions and conduct of mankind. He was almost equally distinguished as a scholar and a man of business; as an eloquent advocate —a scientific lawyer—a classical historian—a patriotic statesman, and a learned theologian. His was one of those powerful minds who have paid the tribute of their assent to the truth of Christianity. His great abilities were devoted to the service of his country and of mankind. He successfully vindicated the freedom of the seas and the rights of Holland, against the extravagant maritime pretensions of Great Britain and Portugal.* His country punished his virtues and services with exile, and would have extended her injustice to perpetual imprisonment or death, had not this cruel fate been averted by the courageous contrivance and self-devotion of his wife, similar to that which in our own times has rendered so glorious the name of *Lavalette*. Involved in the persecution of the Pensionary Barnevelt and the other Arminians, he was shut up in the fortress of Louvestien in the year 1619. He was, however, allowed the society of his books, and of his accomplished and heroic wife, who contrived to deceive his guards and induce them to carry him out in a chest, while she remained for some time voluntarily exposed to the vengeance of his enemies. He escaped into France, and in his banishment returned good for evil by rendering the most important services to his countrymen; and even his persecutor, Prince Maurice of Nassau, is treated with perfect impartiality and justice in his Belgic history. In an age peculiarly infected with party ani-

* The *Mare Liberum* of Grotius appeared in 1634; and Archbishop Laud immediately engaged the learned *Selden* to answer it, in a treatise entitled *Mare Clausum*, in which he not only maintained the right of sovereignty over the *British* seas, but the obnoxious claim of ship-money.

mosity, he preserved himself pure from the taint of bigotry; and though he was actively engaged in the contentions of the religious factions of the Gomarists and Arminians, his expansive creed of toleration embraced every sect, whether Catholic or Protestant: a degree of liberality almost unexampled in those times. When he could no longer be useful in active life, he laboured to win men to the love of peace and justice by the publication of his great work, which made a deep impression upon all the liberal minded princes and ministers of that day, though some ignorant pretenders in the present age have derided it as useless and antiquated pedantry.* Alexander carried Homer in a golden casket to inflame his love of conquest, whilst Gustavus Adolphos, constantly slept with the treatise *De Jure Belli ac Pacis* under his pillow, in that truly heroic war which he waged in Germany for the liberties of Protestant Europe. It is difficult to decide which presents the most striking contrast, the poet of Greece and the philosopher of Holland, or the two heroes who imbibed such different and opposite sentiments from their pages.

Nor was this the only immediate practical effect of this publication. Its enlightened and benevolent doctrines so forcibly struck the mind of that liberal and tolerant sovereign, the Elector Palatine, Charles Lewis, that he founded at Heidelburg the first professorship of the law of nature and nations ever instituted in Europe, and bestowed the chair upon the celebrated Puffendorf, who used the treatise of Grotius as his text book.† Grotius was thus the creator of a new school of political philosophy, which laid the foundation for all those important improvements in the sciences of government, political economy, and legislation, which have distinguished the two last centuries. His work was illus-

* The treatise *De Jure Belli ac Pacis*, was published at Paris in 1625, and was composed at the seat of the President *de Mesmes*, an eminent French lawyer.

† *Richard Zouch* was the pupil and successor of Gentilis at Oxford, and Judge of the High Court of Admiralty in the reign of Charles II., in which situation he distinguished himself in the celebrated controversy respecting the Admiralty jurisdiction. He appeared after Grotius, and before Puffendorf, and wrote a treatise, *Juris et Judicii Fecialis, sive Juris inter Gentes Explicatio*, published in 1650; of which Bynkershoek speaks with uniform contempt. But Sir James Mackintosh says, Zouch "was distinguished by talents as well as learning."

The works of Sir *Leoline Jenkins*, who succeeded Zouch in the High Court of Admiralty, deserve to be better known in this country.

trated by a crowd of commentators in the universities of Holland and Germany ; and within forty years after his death obtained an honour which had been exclusively reserved by the constant usage of the learned world for the classical writers of antiquity : it was edited *cum commentariis variorum*. His style is that of the purest Latinity ; and though the work sins against the prevailing taste of the present age, in being adorned with a profusion of illustrations from the writers of every period and every country ; yet it should be remembered that these are so many different witnesses summoned to attest the concurring sentiments and usages of mankind, and that their testimony would be much more revered by the cotemporaries of Grotius than the unsupported authority or reasonings of any individual whatsoever.* Grotius ought not to be tried by a standard foreign to his purpose in writing. It was not his principal aim to determine what the law of nations *ought to be*, independent of any positive institutions ; but to ascertain what it *had been* and *then was :* to reduce to an authoritative text, to enforce and illustrate, the customs and usages which the civilized and Christian nations of Europe had, by express or tacit consent, agreed to observe towards each other ; to appeal to practical instances, precedents, and examples ; to reason by analogy from these to other new questions ; and in the words of Lord Bacon, " to collect the rules and grounds dispersed throughout the body of the same laws, in order to see more profoundly into the reason of such judgments and ruled cases, and thereby to make more use of them for the decision of other cases more doubtful ; so that the uncertainty of law, which is the principal and most just challenge which is made to the laws" *of nations*, " would, by this new

* Usus sum etiam ad juris hujus probationem testimoniis Philosophorum, Historicorum, Poëtarum, postremo & Oratorum : non quod illis indiscrete credendum sit ; solent enim sectæ, argumento, causæ servire : sed quod ubi multi diversis temporibus ac locis idem pro certo affirmant, id ad causam universalem referri debeat : quæ in nostris quæstionibus alia esse non potest quam aut recta illatio ex naturæ principiis procedens, aut communis aliquis consensus : illa jus naturæ indicat, hic jus gentium : quorum discrimen non quidem ex ipsis testimoniis, (passim enim scriptores voces juris naturæ et gentium permiscent,) sed ex materiæ qualitate intelligendum est.—*Grot. de J. B. ac P. Prolog.* 40.

strength laid to the foundation, be somewhat the more settled and corrected."*

The immediate disciples and successors of Grotius committed the same error into which he has been accused of falling, of not distinctly marking the delicate but real line, which divides the science of public law from that of morals: a defect, which has rendered this class of writers obnoxious to severe criticism, but which does not seem to be very important; except that a methodical arrangement of human knowledge is convenient, and tends to promote that division of intellectual labour by which the value of its products is increased. But a more unpardonable mistake committed by them was that of referring the law of nations entirely to the law of nature, and treating it as if it were nothing but the science of ethics applied to the conduct of nations and states: a theory, which would make it, what we know it is not, an immutable law, incapable of improvement; and which has been sufficiently refuted by various writers, who have firmly established the position that the authority of this law is founded upon consent, as evidenced by the usages, customs, and conventions of that portion of mankind among whom it prevails, and which

* There is no one of the benefactors of their species, upon whose character those who take an interest in the progress of human improvement have delighted to dwell with more complacency than that of Grotius. One of the ablest writers of this or any other country, has thus beautifully connected his labours and sufferings with our actual blessings and enjoyments. "Let us consider how much may be gained in the ages to come, if we are but faithful to our posterity, and they are but faithful to themselves. It is but two centuries since Grotius lived: since the time when he was struggling against ignorance, and persecution, and *oppositions of science falsely so called*, to guide his contemporaries in the way to truth. His contemporaries, in return, attempted to confine and extinguish within the walls of a prison, that light which was to spread itself through the world. They drove him from his native land: and when the shades of death were about to close upon him, he might have looked round and seen not a single country free from the oppression of ecclesiastical tyranny; and only one in which any religion unmixed with the grossest error enjoyed even a doubtful toleration; only one where a few harassed individuals had found a temporary refuge, from which they were just about to be driven. What deep and holy joy would have filled the mind of this great man, if a prophetic vision could have been accorded to him of what we now behold around us; if, amid his labours, and disappointments, and sufferings, he could have been assured, that he had not laboured nor suffered in vain; if he could have foreseen that in this country,—which was then just appearing within the political horizon, but which even then had attracted his attention, and been one object of his extensive studies,—a vast empire was to be established, throughout which the principles of religious liberty should be fully recognised, and in which such a large portion of the community should understand so well the real character, and feel so powerfully the true influence of our religion."—*Norton's Inaugural Discourse, as Dexter Professor of Sacred Literature in Cambridge University, p.* 41.

have sprung from the manners, government, religion, and other peculiar circumstances in the history of the European race.

The character and respective merits of the elementary writers on public law of the last century, are too well known to render any particular account of them necessary in this connexion.* But it is proper to ob-

* It ought not here to be omitted, that our own country has not been backward in cultivating the science of which we are speaking. The decisions of the Continental Court of Appeals in Prize Causes during the war of the Revolution, in which some of the most distinguished jurists and patriots of this country presided, do great honour to their talents and civil learning. The consummation of the Revolution gave rise to numerous important questions of public law. Among these, one of the most interesting was that concerning the confiscation of British debts in this country, and whether their obligation was revived by the treaty of peace of 1783. This controversy called forth the genius, and tasked the powers, of some of those truly great men produced by the Revolution. The eulogium pronounced by Mr. Wirt, on the efforts of Patrick Henry, in this question, is well known; and we may here quote the words of one of the learned judges of the Supreme Court, to show with what ability it was discussed before that tribunal. Mr. Justice Iredell said on this occasion, "I shall, as long as I live, remember with pleasure and respect, the arguments which I have heard in this cause. They have discovered an ingenuity, a depth of investigation, and a power of reasoning, fully equal to any thing I have ever witnessed; and have been adorned by a splendour of eloquence surpassing what I have ever felt before: fatigue has given way under its influence; and the heart has been warmed, while the understanding has been enlightened." The correspondence of Mr. Jefferson with the British minister, on this and other subjects connected with the treaty of peace, may also be referred to as an additional proof of our progress in civil knowledge and of polemical talent. The French Revolution, and the British treaty of 1794, involved the discussion of many difficult and delicate questions of public law, which were debated with equal zeal and ability in the cabinet, in Congress, and in the public journals. The correspondence of Mr. Jefferson with M. Genet, in which the French minister could find no better answer to the irresistible reasoning of the American Secretary, than a sneer at "the worm-eaten volumes of Grotius and Vattel,"—the Essays written by General Hamilton, under the signature of Camillus, containing a valuable body of information on the law of nations,—the Speech of the present Chief Justice of the United States, in Congress, on the legal questions involved in the case of *Nash* alias *Robbins*,—and the decisions of the Supreme Court, as collected by Mr. Dallas, may also be referred to with the same view. On the renewal of the European war after the truce of Amiens, the commerce of this country became the prey to an innovation on public law, which had been first practised by Great Britain in the war of 1756, from which it derived its name of *the rule of* 1756, but was suffered to slumber during the subsequent maritime wars, until it was awakened with increased activity in the novel form of the doctrine of *continuity of voyage*, invented and maintained by the great abilities of Sir William Scott and Sir William Grant. This doctrine, and the principle of the rule itself, of which the doctrine was an amplification, besides the discussion they occasioned in Europe, were combated in various works from American pens: by Mr. Madison, in his Examination of the British Doctrine, &c.; by Mr. Pinckney, in an elaborate and eloquent Memorial from the Merchants of Baltimore; and by Mr. Gouverneur Morris, in his Answer to "War in Disguise," the ablest production of the British press on the opposite side of the question. During the late war with Great Britain, the principles of the law of prize were ascertained and settled by those tribunals to which the administration of international justice is intrusted in this country, and a great system built up, equally removed from fanciful novelties on the one side, and from the extreme rigour of belligerent pretensions on the other; leaving little to be done in any future war, but to apply the general principles which have been developed, to such new cases as may arise. So that we have

serve that *Wolffius* deserves the credit of separating the science from that of natural jurisprudence. His work appeared in 1740, in nine ponderous tomes, which have been abridged by Vattel, in his lively, spirited, but superficial and unsatisfactory treatise upon a science, which, to use the words of Sir James Mackintosh, "calls for the skill of a new builder." It is a general remark, applicable to all these writers, (with the exception of *Bynkershoek** and *Heineccius*,†) that they are extremely deficient in practical details, and a particular application of the general doctrines they lay down. These must be sought for principally in the history of diplomatic intercourse, in the decisions of the tribunals by which the law of nations is administered, and in the ordinances of particular states, reducing that law to a written text for the direction of those tribunals, and for the information of foreign powers. Not that these municipal ordinances have any direct, obligatory force upon other countries as positive institutions: for we

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manifested talents for investigation and discussion in this branch of science, as in other branches, in proportion to the occasion which called them forth; and this is a sufficient earnest of what may be accomplished when our state of society is sufficiently advanced to enable us to indulge in the luxury of scientific speculations. But we may even now point to *The Defence of the American Constitutions*, by President Adams, and the *Letters of Publius, or, the Federalist*, by Messrs. Hamilton, Madison, and Jay, as elementary works upon the theory of government, of a very original character.

* Mr. *Madison*, in his very able *Examination of the British Doctrine which subjects to capture a Neutral Trade not open in time of Peace*, bestows just and distinguishing praise upon *Bynkershoek*. "He is the first writer who seems to have entered into a critical and systematic exposition of the law of nations, on the subject of maritime commerce between neutral and belligerent nations; and the plan which he adopted, was well calculated to do justice to the subject. Instead of undertaking, after the example of Grotius and Puffendorf, an entire code of public law, he selected for a more thorough discussion, the particular questions which were deemed most important, and most frequent in the transactions and intercourse of modern nations." *Examination of the British Doctrine*, &c. *p.* 23.—The first book of the *Quæstiones Juris Publici*, which is here particularly referred to, has been elegantly translated by Mr. *Du Ponceau*, and enriched with valuable notes by the learned translator.

It should be observed, however, as detracting not a little from the merit of Bynkershoek, that his pages are stained with ferocious sentiments respecting the rights of war, unworthy of a writer who lived in the beginning of the 18th century: holding every thing lawful against an enemy—that he may be destroyed, though unarmed and defenceless, and even by poison, fraud, or any kind of weapons. One would suppose, that a writer who sets out with such notions as these, would write a very compendious treatise upon the law of war; and yet Bynkershoek does proceed to unfold, in a very clear and vigorous, though somewhat dogmatical manner, the principles of this branch of public law, from which we learn, that there are many things not lawful even against an enemy,—and in which the just rights of neutrals are fully stated and explained.

† Heineccius, "the best writer of elementary books with whom I am acquainted on any subject,"—says Sir J. Mackintosh.

agree with the venerable *Hooker*, that "the strength and virtue of the law of nations is such, that no particular nation can lawfully prejudice the same by any their several laws and ordinances, more than a man, by his private resolution, can alter the law of the whole commonwealth or state wherein he liveth."* But they are received as declaratory of the law of nations, as it is understood by the nation which promulgates them, and as directory to the tribunals by which it is administered.

The great and rapid improvement in the international intercourse and policy of Europe, which has taken place since the age of Grotius, is to be attributed, in a considerable degree, to the influence of his writings and those of his disciples, co-operating with the increasing mildness of manners in that favoured portion of the globe; and has also been promoted by the vast extension of colonization and commerce; the growing importance of pacific and neutral states, and the consequent respect which has been always professed and often felt for the rights of neutrality; and by the salutary doctrines of political economy, teaching all nations the interest and duty of cultivating a liberal interchange of benefits by a free commercial intercourse, founded upon the basis of reciprocity. Before the federative system and social order of Europe, as established by the treaty of Westphalia, had been subverted by the partition of Poland and the wars of the French revolution, the republics of Switzerland and Holland, and the free cities of Germany,—the smaller maritime states of the north and the South of Europe, who generally abstained from taking any part in naval wars,—served during peace as the asylum of free discussion, and of fugitives from religious or political persecution; and during war, contributed to mitigate its evils by filling up those channels of commerce which the belligerents had abandoned: thus preserving the peaceful relations of human society. The respective rights and pretensions of belligerents and neutrals were subjected to the most animated and enlightened discussions. Philosophy

* *Hooker's Eccles. Policy, vol.* i. *b.* 1. *p.* 254. *Ed. Oxf.*

had done all that philosophy could do, to soften the horrors of war, and to limit and restrain its operations to the actual combatants, and to the prizes set up within the lists, as the immediate objects of the contest; so that the productive industry of mankind, and the complicated machinery of society, might suffer the least possible derangement. The establishment of the rule that *free ships should make free goods*, in order that the immunity of the neutral vessel might be imparted to the merchandise of which it is the vehicle, and communicate its saving virtue to the property of the enemy-merchant, had been regarded as a desirable innovation in the law of war, by many speculative writers, and statesmen, and sovereign states. The same benevolent feeling was extended to attempt the abolition of the practice of privateering, and of capturing private property at sea, as a cruel invention of barbarous times, unworthy of the humane sentiments which mark the present age: and some fervent prayers are now breathed, and some feeble efforts are made towards suppressing the guilt and misery of war itself. But we can rather wish than hope that these aspirations may be realized. So long as war is carried on by sea, maritime captures must continue to form a feature of its operations: because the direct object of these wars being the destruction of the enemy's commerce and navigation, the sources and sinews of his naval power, that object can only be attained by the capture and confiscation of private as well as public property: and this cannot be effected, if the neutral flag is allowed to cover these vulnerable parts from attack. Besides, the liability of private property to capture, connects the interest of the citizen with his duty, and with the safety and success of the state. On the other hand, the object of wars by land being the absolute conquest, or the temporary acquisition of territory to be ultimately exchanged as an equivalent for the restoration of other territory lost, the regard of the victor for those who are to be, or have been, his subjects, will naturally restrain him from the exercise of his extreme rights in this particular; and accordingly in such wars, private property is so far respected that it is not considered as booty, ex-

cept when captured in cities taken by storm, and military contributions are levied upon the territories occupied by a hostile army in lieu of a general confiscation of the property belonging to the inhabitants. War cannot be entirely stripped of its concomitant evils without ceasing to be war, any more than punishment for crimes can be separated from pain, without ceasing to be punishment: and it is much to be feared, from the past history of mankind, that war is an inevitable calamity, the recurrence of which at periodical, though uncertain intervals, no human foresight or exertions can prevent. War, with all its horrors, is the price which nations must occasionally pay for their freedom and independence—the only alternative opposed to degradation and ruin; but like other evils which beset the chequered life of man, it has its uses, and in the eternal order of things, seems as necessary to the moral, as are storms and tempests to the natural world. "The cloud-capt tower, the gorgeous palace," may be laid in ruins, the valley inundated, and the oak rent from his native hills; but elasticity and health have been restored to a stagnant and pestilential atmosphere, and renovated nature goes on rejoicing in her course. It is in war that the greatest faculties of man have been developed, and his noblest virtues invigorated. It is war "that makes ambition virtue." The effeminate poet may prate of "Macedonia's madman," and the satirist of a degenerate age may jeer at the hero of Carthage, with his—*I demens et curre per Alpes*—but magnanimous enterprise, persevering valour, and noble achievment, have secured them a niche in the temple of fame; and the names of Alexander and of Hannibal continue, in spite of detraction, to command the admiration of mankind. If war in general be not unattended with good effects,—when waged in defence of freedom and independence, and in vindicating national rights from insult and rapacity,—it is consecrated in the adoption; and prosecuted by a people true to themselves, will rarely fail of attaining its object. For though disasters may await, clouds and darkness overhang the prospect,—its ultimate effect will be to revive those principles which cannot readily lose their force, to render man not only deserving, but

capable of the enjoyment of those rights for which he has contended.

I am far from intimating that no future improvement is to be expected in the law and intercourse of nations. Before the awful mutations and calamities of our own times, much had been accomplished; and even in the midst of the terrible convulsions we have witnessed, a most important moral victory has been achieved in the abolition of the African slave trade: and it is consoling to the mind that takes an interest in the prospects of mankind, to reflect that a traffic, which was once universally regarded as legitimate, is now branded by the most powerful and civilized states of the world as a crime against the law of nations, incurring the guilt and meriting the punishment of piracy. The disastrous events of the present age but *seemed* to suspend the work of moral and political improvement. The storm has passed—the agitation of this tremendous sea has subsided: but all is not yet hushed. From that beautiful bay, adorned with the works of nature and of art, and illustrated by so many historical associations; which was once the scene of the lusts and cruelties of Tiberius, and where the pure spirit of Cicero reposed in calm retirement, with philosophy and letters for his companions,—I hear the voice of Liberty! not of that syren who once usurped the sacred name and lured the nations to their destruction; but of Liberty, combined with constitutional order and supported by justice and humanity. Naples follows the glorious example set by Spain, and Portugal treads in the same bright and bloodless path. Though the present predominance and apparently compact union of the great military monarchies of Europe, veiled as it is with the pretext of solicitude for religion and social order, may seem to be of evil omen for the liberties of mankind; yet the rapid progress of liberal opinions which have penetrated even into camps, and converted the once blind and passive instruments of despotism into the vindicators of constitutional freedom, shows that there is a redeeming spirit which has survived the heart-sickening scenes that have passed before us. We live in an age similar to that of the Reformation: one of those memorable

epochs which mark a stage in the progress of mankind. That great event was also attended with wars, and crimes, and calamities; it was for a time dubious, and at last imperfect in its results: but it left behind it a long track of pure and glorious light, which still cheers our path and teaches us not to despair of *the fortunes of the human race.* Least of all should we, in this favoured land, where Heaven has dispensed its choicest blessings, indulge even a momentary doubt of the final triumph of Freedom and Justice. Guided by jurists, and statesmen, and lawgivers, such as Europe, the venerable parent from whom we sprung, should be proud to own as her sons, we have pressed forward in the career of national greatness, and have now arrived at a lofty eminence of glory, from whence we may look back upon the past with pride and joy, unmingled with regret or remorse, and where the prospect of the future is gilded with the brightest rays of hope.—But much still remains to be accomplished. We owe a large debt of gratitude to our predecessors, and are bound to transmit the rich inheritance we have received from them, not only unimpaired, but enlarged and improved, to those who come after us. Though separated by a wide waste of waters from our European brethren, we are members of the same great family and commonwealth. We have the same literature, religion, and law of nations; are united to them by a thousand ties of affection and interest; and cannot be indifferent to whatever concerns their progress in social improvement. The wise and the good of the old world must look with anxious eyes to the result of the great experiment here making. Let us not defeat their high hopes. Let us redeem the pledges we have given to the world. Let us realize the desire of the sage and the vision of the poet: so that when the future traveller leaps upon this Hesperian shore, he may exclaim—

> Salve magna parens frugum, Saturnia tellus
> Magna virûm.

COMMUNICATIONS

FROM

THE LATE HONOURABLE SAMUEL JONES,

OF OYSTERBAY, QUEEN'S COUNTY, LONG-ISLAND,

TO

JOHN PINTARD, ESQ.

OF THE CITY OF NEW-YORK, THEN RECORDING SECRETARY OF THE HISTORICAL SOCIETY.

SIR,

ENCLOSED you have some Notes on a Pamphlet, entitled, "a Discourse delivered before the New-York Historical Society, at their Anniversary Meeting, the 6th December, 1811, by the Honourable De Wit Clinton, one of the Vice-Presidents of the Society." These Notes were made soon after the pamphlet was received; but the communication was delayed for the purpose of previously conferring with certain gentlemen respecting some parts of them, which object, from various causes, has but lately been effected.

I also enclose Notes on the late editions of our revised laws; and wish to be informed whether such communications are considered as useful to the Society.

SAMUEL JONES.

Oysterbay, West-Neck, Queen's County,
20th Oct. 1817.

NOTES

ON

THE PAMPHLET,

ENTITLED,

"A DISCOURSE DELIVERED BEFORE THE NEW-YORK HISTORICAL SOCIETY,

AT THEIR ANNIVERSAY MEETING,

the 6th December, 1811*."

Page 40, line 27. Should not the date 1774 be 1674?

Page 40, line 33. "*Over all Long-Island.*" This must be a mistake, unless the Long-Island Indians were part of the Pequot nation; for it is certain that when the Europeans first began their settlements on the Island, the Indians on the western part of it were tributary to the Mohawks.

Page 41, lines 34 and 35. "*Very savage and ferocious.*" We meet with no evidence that such was the fact: on the contrary, we have reason to believe that the supposition was founded in mistake. Several of the early settlements on the Island were in dispersed situations; all in the neighbourhood of, and some among the Indians. South-Hampton, as appears from Hutchinson's History of Massachusetts Bay, was settled about the year 1638. Its situation was near the Montauk Indians, who were then numerous, and so far from any other European settlement, that no assistance could be expected from any of them, in case of an attack by the Indians. And yet we do not hear that any hostility was ever committed by the Indians against

* This Discourse of Mr. Clinton, is republished in the second volume of the New-York Historical Collections, and Mr. Jones's references are accommodated to this second edition.

any of those settlements. The only tradition we have of any hostility with the Indians on this Island, is a vague account of a most atrocious attack upon them by the white people. The story is this: The Massapeage Indians who lived at Fort Neck, on some occasion, had a meeting with the Merrick Indians, or Rockaway Indians, or both; notice of which being conveyed to Oysterbay, intimating that the Indians were about rising, or had risen to massacre the white people, a captain Underhill immediately marched with a company of armed men to Fort Neck, where they arrived about the break of day. But not finding any appearance of hostility there, and learning that the meeting of the Indians was to the westward, they immediately marched that way, and met the Indians on the eastern part of Whale Neck, about four miles from Fort Neck; and immediately attacked them, and killed a considerable number of them; the Indians being unarmed and making no resistance. The wind being northwest, and the weather cold, Underhill's company collected the bodies of the Indians and threw them in a heap on the brow of the hill, and then sat down on the leeward side of the heap and eat their breakfast, and then returned home; having discovered that there was no truth in the story of the Indians rising. When that part of the country came to be settled, the highway across the Neck passed directly over the spot where it was said the heap of Indians lay, and the earth in that spot was remarkably different from the ground around it, being strongly tinged with a reddish cast, which the old people said was occasioned by the blood of the Indians!!! This appearance was formerly very conspicuous. Having heard the story above sixty years ago, I frequently viewed and remarked the spot with astonishment. But by digging down the hill for repairing the highway, the appearance is now entirely gone. This tradition will soon be lost; few of the present generation ever heard of it. The Indians are nearly extinct; and the transaction is too disgraceful to the white people to be long kept in remembrance by them.

Page 40, *Note.* Staten-Island was purchased of the Indians the 10th of August, 1630, by Michael Paw,

a Dutch subject. The conveyance is recorded in the office of the secretary of the State of New-York, in book A, page 6, of Dutch records. The purchase by Lovelace is dated the 13th of April, 1670, and is probably recorded in the same office.

Page 42, line 2. "*Charles Thomson.*" Mr. Thomson says, that the Indian nation, called Loups by the French, and Delawares by the English, was a nation or confederacy consisting of five tribes, who all spoke one language, and that one of the tribes was the Mahiccon or Mahattan, who occupied Staten-Island, York-Island, Long-Island, and that part of New-York and Connecticut which lies between Hudson and Connecticut rivers, from the Highlands down to the Sound; which is not improbable.

Page 42, line 7. "*Dutch.*" The possessions of the Dutch on Long-Island never extended above thirty miles eastward of New-York. The eastern part of the Island, and extending to the town Plots, of Oysterbay, inclusive, was settled by people from New-England. The Dutch finding all the Indians within and adjoining their settlements on Long-Island, tributary to the Mohawks or Five Nations, probably concluded from that circumstance, that all the Indians on the Island were so: but I believe there is no evidence that such was the fact; on the contrary, there is a tradition among the Montauk Indians, that their ancestors had frequent wars with the Indians on the Main, who conquered and compelled them to pay tribute. This tradition is corroborated by the early historian, who asserts, that the Narragansets held dominion over part of Long-Island; and by the fact that the Montauk sachem paid tribute to the four New-England colonies.

Page 42. Further, we have no reason to believe that the Five Nations had any war with the Indians on Long-Island after it was settled by Europeans. Their conquests upon the Island, whatever might have been their extent, were prior to that period. And considering the general character and conduct of those nations, it is not supposable that they would suffer any Indians who were tributary to them, to pay tribute to any other Indians. There seems, therefore, to

be reason to believe that their conquests did not include the Montauk Indians at the east end of Long-Island.

Page 42, line 29. "*Shells.*" Part of the tribute paid by the Long-Island Indians to the Mohawks, consisted of dried clams.

Page 58, line 17. "*Darien.*" This supposition appears to me to be totally void of probability. If the book quoted is supposed to be the production of major Robert Rogers, it is entitled to little or no credit. In the years 1755, 1756, 1757, and 1758, he had the command of a corps of rangers upon the frontiers at or near lake George; and while in that service, he kept, or procured to be kept, a journal containing an account of his marches, encampments, and engagements with parties of Indians and French. This journal he prevailed upon William Smith, (afterwards chief justice of Canada,) in whose office I was then a clerk, to revise and correct. And the greatest part, if not the whole, after Smith's corrections, was copied by the clerks in his office. I was afterwards informed by Mr. Smith, that Rogers had sold the copy to some bookseller in London, who had caused large additions to be made to it; given it a more comprehensive title; and published it as the work of Rogers. The character of Rogers, as a brave and active officer, at that time stood high both in England and in North America. But I well remember that while employed in correcting and copying his journal, it was remarked by Mr. Smith and his clerks, that although the men under his command, or different parts of them, were frequently engaged in bold and hazardous enterprises, and were often in difficult and dangerous situations, he himself was generally out of danger. His conduct in this respect was so remarkable, that it was a common observation in the army, that Rogers always sent, but Putnam (an officer in similar service,) always led his men into action. And the manner in which he sometimes described his loss of men, gave us an unfavourable opinion of his character: it was by saying he "expended" so many "men," mentioning the number, speaking, as Mr. Smith observed, of the loss of his men with as much indifference as he would of the expenditure of their ammunition or provisions.

Where Rogers was, or in what situation, after the peace of 1763, and until the commencement of the revolutionary war between Great Britain and America, I know not; but soon after the British took possession of New-York, I was informed he had a commission to raise men for the British service. He accordingly raised some men; but before the end of the war he was detected in attempting false musters, and cashiered.—And I have been informed that he soon after died in New-York, in a poor, miserable condition.

Page 39, line 29, "*English.*" There seems to be some obscurity here; or rather something wanting to make a proper connexion of the three preceding sentences; for the English did not possess Albany until 1664, which was 56 years after Smith's expedition up the Bay of Chesapeake.

Page 65, line 31, "*Utrecht*" should be Paris.

Page 68, line 12, the date, "1762," should be 1763.

Page 17, "*Kirkland.*" Similar observations were made respecting him by some of the Commissioners at the treaty at Fort Stanwix, in 1788, where he officiated as interpreter.

Page 74, "*Good Peter.*" The speech of Good Peter at Albany, in 1789, is well worth preserving as a specimen of Indian oratory; but I did not think it equal to the one he made to the Commissioners at Fort Stanwix, in August or September, 1788. In that speech, he observed, 'that the avidity of the white people for land, and the thirst of the Indians for spiritous liquors, were equally insatiable; that the white men had seen and fixed their eyes on the Indians' good land—and the Indians had seen and fixed their eyes on the white men's keg of rum—and that nothing could divert either of them from their desired object: and therefore there was no remedy—but the white men must have the land, and the Indians the keg of rum. That when the white men first came into the country, they were few and feeble, and the five nations were then numerous and powerful; that they (the Indians) were friendly to the white men, permitted them to settle in the country, and protected them from their enemies; and

that they had wonderfully increased, and had now become like a great tree, overshadowing the whole country: on the contrary, the Indians had continually decreased, and had now become few in number, and weak like children, incapable of taking care of themselves. That as we (the Indians) befriended and protected you when you were weak, you ought now, as you have become strong and powerful, to befriend and protect us, who have become weak; we therefore throw ourselves upon your protection, and are determined to be guided by your counsel and advice.' And after a short pause he added: 'The Great Spirit is witness to the agreement this day made between us; and if it should not be faithfully performed on your part, he will surely avenge the cause of the poor Indians.' I do not pretend to quote his words, nor to follow his arrangement, but merely to give the general sense of those parts of his speech. I think it was taken down in writing by Mr. Benson or Mr. Varick, as interpreted by Kirkland, and afterwards copied into a book containing the proceedings of the Commissioners, which remained in possession of Governor Clinton. What is become of it I know not; but I well remember he promised to deposite it in the Secretary's Office.

Page 89, "*Remains of ancient fortifications.*" There seems to me to be no good reason for attributing those works to the Europeans. But in my opinion it is not equally clear that they were not the work of the Indians. The only tools absolutely necessary for such work are spades or shovels; and implements that would answer the purpose might be formed without the use of iron, as easily as palisadoes. The opinion that those fortifications surpassed the skill, patience, and industry of the Indian race, does not appear to me to be well founded; for considering the number of hands that might be employed in the work at the same time, I think it would require more skill, patience, and industry, to fell a tree and form it into a canoe—or to fell trees, form them into palisadoes, and enclose with them any space of ground without the use of iron, than to enclose the same space with a ditch and bank of earth similar to those discovered in different parts of the country.

When this part of Long-Island was first settled by the Europeans, they found two fortifications in this neighbourhood upon a neck of land ever since called, from that circumstance, Fort Neck. One of them, the remains of which are yet very conspicuous, is on the southernmost point of land on the neck adjoining the salt meadow. It is nearly, if not exactly, a square; each side of which is about thirty yards in length. The breastwork, or parapet, is of earth; and there is a ditch on the outside which appears to have been about six feet wide. The other was on the southernmost point of the salt meadow, adjoining the bay, and consisted of palisadoes set in the meadow. The tide has worn away the meadow where the fort stood, and the place is now part of the bay, and covered with water; but my father has often told me, that in his memory part of the palisadoes were standing. In the bay between the salt meadow and the beach are two islands of marsh, called Squaw Islands; and the uniform tradition among the Indians is, that the forts were erected by their ancestors for defence against their enemies; and that upon the approach of an enemy they sent their women and children to those islands, which was the reason for calling them Squaw Islands.

SAMUEL JONES.

Oysterbay, West Neck, Queen's County, State of New-York, 1812.

No. II.

REMARKS ON SPAFFORD'S GAZETTEER,

OF THE

STATE OF NEW-YORK.

BY THE HONOURABLE SAMUEL JONES.

Oysterbay South, Queen's County, 6th August, 1814.

SIR,

I lately met with a copy of your "Gazetteer of the State of New-York; and upon a cursory perusal of

some parts of it, there seemed to me to be so many mistakes and inaccuracies in it, that I thought it would not be improper to mention some of them to you, as well to enable you to make proper corrections in the next edition, as to show the necessity of procuring more correct information on the subject.

In the description of the township of Hempstead, in Queen's County, it is said—"The principal dependence is on tide-mills." This is a mistake. There are a number of mills in the township; and only one that can be called a tide-mill. And what is said respecting the Duke's laws is not correct. They were not all passed about 1665; nor were they enacted at Hempstead. The governors under the Duke with their councils from time to time made rules and orders for the government of the colony which were considered as laws. These in the year 1674 were collected and copied into a book, since called the Duke's Laws, which was deposited in the Secretary's office, and a copy of it sent to each of the then towns in the colony. In 1665 there was a convention at Hempstead of deputies from the towns on Long Island, to settle disputes respecting the limits of their respective towns, which probably has given rise to the notion that the Duke's laws were then enacted there.

In the description of the township of Oysterbay there are various mistakes and inaccuracies. The distance from Albany is stated to be 128 miles. It is about 188. And so far from having a long list of names of places on the south side of the island, the township there is only about three miles wide, and includes five necks of land; three of which are known by particular names: to wit, West Neck, Fort Neck, and Unkway. And the whole is distinguished by the name of Oysterbay, South. In the enumeration of the villas, or seats, or settlements in the central part, Jerusalem, which is in the township of Hempstead, is mentioned as one in the township of Oysterbay; and Bethphage, which is a more considerable village, is omitted. What is intended by the words, "in the S. are many islands," wants explanation. If the S. means the Sound, it is a mistake. There is not one island in the

Sound included in the township. There are some islands of salt marsh in the South Bay on the south side of the island, included in the township; but if those are intended, the description is incorrect. The assertion, "that the principal dependence is on tide-mills," is not well founded. There are only two tide-mills in the township; one belonging to General Coles, and the other to Thomas Cock. No mention is made of Lloyd's Neck, which has always been annexed to Queen's County and to the town of Oysterbay. This neck was formerly called Horse Neck, then Queen's Village, and then Lloyd's Neck, after the name of the proprietor. It is not included in the bounds of the county or town, but is particularly annexed by law. It is situated on the east side of Cold Spring Harbour, and is bounded west by the harbour, north by the Sound, east by Huntington Harbour, and south partly by Huntington Harbour, and partly by the township of Huntington, being joined to the township of Huntington by a narrow beach on the east side of Cold Spring Harbour.

The description of Hempstead Plain is in several particulars exceptionable. Why do you call it a prairie? The term is new to us, and will not be understood by many, if by any, of your readers; nor has it any tendency to convey a more correct or precise idea of the tract than the common English term. And why call the grass sedge? It is not so called by the inhabitants; nor is it in any degree similar to the grass called sedge in this part of the country. The assertion, that it was thought of so little value, "that no separate grant was ever made of it," is contrary to the fact. A grant was obtained for all that part of it included in the township of Oysterbay, except a small piece in the south-east corner, upwards of ten years before the inhabitants took a grant for the town. And the part now in the townships of Hempstead and North Hempstead was included in the patent for the town of Hempstead. This town was first settled under the Dutch government by emigrants from England; and so far from thinking this tract of little value, tradition informs us that the first settlers, deceived by the luxuriancy of

the grass and the appearance of the soil, supposed it to be very excellent land; and therefore included it, or at least as much of it as they then could, in their patent. And it is a notorious fact that they fixed their town plot on the southern part of it. But experience soon convinced them of their mistake, and therefore no general division of it has ever been made; and the greatest part remains as a common. This tract of land was formerly called the Great Plains; and a small similar tract, included in the township of Jamaica, was called, and continues to be distinguished by the name of, the Little Plains. The greatest part of the large tract being included in Hempstead Patent, it soon got the name of Hempstead Plains; and is now generally so called.

The assertion in page 229, that the tides coming through the Sound arrive at New-York three quarters of an hour "earlier than those by the Narrows," is contrary to the fact. It is high water half an hour sooner at New-York than at Hell-Gate. And by the concurrent testimony of the boatmen who navigate the Sound and the East River, those tides usually meet at or near the place they call Frog's Point, the true name of which is Throg's Point. It is a notorious fact and well known to every person acquainted with the tides at New-York, that the flood tide uniformly runs up the East River. And I well know from repeated experience, that when the flood tide coming through the Narrows first reaches the point of the battery at New-York, the ebb tide coming down the North River meeting it there, occasions a strong current from the point of the battery over to Brooklyn shore, and along Brooklyn shore up the East River. I do not pretend to give a particular account of the tides in the North River after the flood begins to run up the river; but if my recollection is correct, when it begins to run ebb in the East River the flood is yet strong in the North River; and at the point of the Battery the tide is then seen to come down the East River and run up the North River, so that a superficial observer might suppose it to be the flood tide coming from the ocean through the Sound and East River.

In page 16, speaking of Long Island, after mentioning that we are indebted to the possession of it for upwards of 100 miles of our sea-coast, it is added, and "many excellent harbours." From which we might expect to find some of those harbours along the sea-coast; but there is not one in the whole distance. In the same page there is an enumeration of the bays and islands belonging to Long Island. Among those on the south side Gardiner's Bay is mentioned as one near the east end; but Gardiner's bay is on the north side of Montauk Point. All the other bays mentioned on the south side, except Jamaica bay, are only parts of the great South Bay, which extends from Rockaway Beach to South-Hampton; and some of them not generally, if at all, known by the names given them in the Gazetteer. Among those on the north side we find the name of Clinton Bay, which, it is added, forms Clinton Harbour. It seems doubtful where we are to find Clinton Bay, or Clinton Harbour; perhaps we must look for them in what was formerly called Mispat Kill, and now Newtown Creek. In the South Bay there are many islands; the greatest number of them consist only of salt marsh; some are only banks of sand, others consist of sand with marsh annexed to some parts of them. Hog Island is one of the most importance, as it has some good arable land upon it as well as a quantity of salt marsh annexed to it. Among the islands on the south side mentioned in the Gazetteer, are the names Jamaica, Rockaway, and Swan Islands. If there are any islands called by those names they are probably salt marsh or sand banks, and of much less importance than many others in the South Bay not mentioned.

In page 22 it is said, "the E. end of Long Island is still abundantly supplied with deer." This is a mistake. There are none at the east end of the island. The principal hunting grounds are in the townships of South-Hampton, Brookhaven, Islip, and Huntington.

In the same 22d page it is said, "the salmon no longer visits the Hudson." But let me ask, have we any evidence that the salmon ever visited the Hudson? I have never met with any.

In page 35 it is said, "the Germans early settled at Rome." I suppose this must be a mistake. There certainly were no early settlements at the place now called Rome.

The account given of the Duke's laws in page 60 is correct, but it does not accord with what is said respecting them in several other parts of the same book.

The assertion in page 60, that, "in 1689, Leisler, a factious leader, headed a revolt, and a new government," is in my opinion very exceptionable. It certainly has a tendency to give an erroneous idea of the fact. And the assertion in the same page, which is substantially repeated in several other places, that the first colonial assembly met in 1691, is contrary to the most conclusive evidence. The first colonial assembly met in October, 1683, and passed several important laws, some of which yet remain in the Secretary's office with the original signatures upon them. The same assembly met again in 1684 or 1685, and passed several other laws.

In page 61 it is said, in 1759 "Quebec and Montreal capitulated to the English." This is a mistake. Montreal did not capitulate until the year 1760.

In page 86 is the following sentence; "a fine toll bridge across Haerlem River at the head of the island (meaning York Island) connects the counties of New-York and Westchester, 15 miles from the city of New-York." There are two bridges across Haerlem River, both of which connect the counties of New-York and Westchester. One of them called Kingsbridge is near the head of the island, on the post road to Albany, about 15 miles from the city of New-York; but it is not a toll bridge. The other called Coles's Bridge is at Haerlem Village, on the post road to Boston, about 8 miles from the city of New-York, and is a toll bridge. Some parts of the description in the book are therefore applicable to each of the bridges, but the whole to neither of them.

Queen's County is not "nearly opposite the city of New-York," and only a small part of it is opposite York Island.

Rockland County was erected in 1798 from Orange

County. But it is worthy of remark, that all that part of the ancient county of Orange which was settled when it was first erected, is now comprised in Rockland county, except what is now in the state of New-Jersey. Orange Town, now in Rockland county, was the ancient capital of Orange county, and continued so until about the year 1737, when a law was passed for erecting a court-house and jail at Goshen, in the present county of Orange. And the courts were afterwards held alternately at Goshen and Orange Town, until about the year 1774, when the court-house and jail in Orange Town having been accidentally destroyed by fire, and a considerable part of the village having fallen under the jurisdiction of New-Jersey, by the settlement of the division line between that colony and New-York, a law was passed for erecting a new court-house and jail at the place called the New City, then in the precinct of Haverstraw.

In page 106, under the description of Suffolk County, after mentioning that a considerable part of its first inhabitants came from New-England, and stating the periods of the first settlements of Southhold and East-Hampton, it is said; "these settlements were originally attached to the colony of New-Haven; but the rigours of its ecclesiastical court compelled the Long-Island colonists to secede, and proffer allegiance to New-York, which was accepted in 1674." It is undoubtedly true, that the easterly part of Long-Island, and extending to Oysterbay inclusive, was first settled by emigrants from New-England. It is probable that religious differences might have been one cause of their emigration; at least as to some of them. But the supposition that they remained under the jurisdiction of New-Haven, or any of the New-England colonies, until 1674, and were then, on their own application, taken under the jurisdiction of New-York, is I believe without any foundation in truth, and directly contrary to the fact. They could not be included in the surrender of the Dutch in 1664, because they were not under their jurisdiction. But by an adjudication by the king's commissioners, the first of December, 1664, and agreed

to by the governor and commissioners on the part of Connecticut, it is declared, " that Long-Island is to be under the government of his royal highness the Duke of York," and we meet with no evidence that Connecticut exercised or claimed any jurisdiction over any part of Long Island at any time* afterwards: on the contrary, there is abundant evidence of the continual exercise of jurisdiction by the Governors of New-York, over every part of the Island.

Anthony's Nose.—The hill, or rather mountain, formerly so called, on the Hudson, is on the east shore, near the southern entrance of the river into the highlands. The mountain opposite Butter Hill was formerly, and, it seems, is yet, called Breakneck Hill; and, if it is now also called Anthony's Nose, it must have got that name during or since the revolutionary war. It has not the least appearance of a nose, and, if it must have a new name, the Indian, (which the appearance you mention somewhat resembles, and by which name it was called when first shown to me) would be more appropriate than the Nose, or Anthony's Nose.

Walleboght.—This is the true orthography. Wallabout is new, and probably proceeded from ignorance or pedantry.

In describing Clarkes Town, it is said, " near the river is a high range of hills called Hook Mountain." This range of hills extends from the river, westward, a considerable distance; and from whatever position seen, appear as one continued mountain. The ancient name of it is Verdrietege Hook; the literal translation of which is Tedious Hook, or rather Tedious Point; and whoever, in going up the river by water, observes the length of time from its appearing nearly opposite, to actually passing it, will readily perceive the propriety of the name. The north bounds of the township, is a line running along the top of this mountain. The most considerable village in this township is called Clarkes

* Since writing this letter, I have discovered that some towns on Long-Island, probably all those originally settled by people from New-England, refused to submit to the Dutch, in 1673, and applied to Connecticut for protection, and continued under the jurisdiction of that colony, until the arrival of Governor Andros, in 1674.

Town. It is an ancient Dutch settlement on the west side of Hackinsack River; there called Desmarest's Kill. The place called the New City exhibits a striking proof of the folly of preferring a geographical centre for the capital of a county.

In page 167, the "Colonie" is said to be one mile north of Albany. This is a mistake. It adjoins the city of Albany, as appears by the bounds immediately after described.

Cookquago Branch.—This branch of Delaware River was formerly called the Mohawk Branch. The other name is comparatively new. It is called by its old name in Lewis's Map of the State, published in 1795.

In describing the township of Harverstraw it is said, "Haverstraw Bay; a wide place in the Hudson gave its name to this town." This is a mistake. The direct contrary is the fact. The place originally called Haverstraw, is a level tract of land, on the west side of, and adjoining the Hudson, between Verdrietege Hook and Stony Point, and extending back from the river to the first considerable rise of land. This tract was early settled by several Dutch Families. The village called Warren, in this township, is situated on the tract formerly called Haverstraw.

Hell-Gate.—This is the true original name. Hurlgate is a new name. In Lewis's Map of the State, published in 1795, and in De Witt's, published in 1804, it is called by its old name, Hell-Gate.

In page 273, speaking of the hills in Philip's Town, it is said, the most noted are Sugar-Loaf, Break-Neck, and Bull-Hills. There may be a hill called Sugar-Loaf, in this town, but the most noted hill of that name in the highlands, is near the village of Warwick, in Orange county. It may be seen at a great distance, and has then exactly the appearance of a sugar-loaf.

In describing the town of Herkimer it is said, "the west part near the Little Falls, is broken, rugged, and comparatively wild." This is a mistake. It is the east part. And after describing Herkimer village, it is added, "seven miles west of this is the village of Little

Falls." This is also a mistake. The Little Falls is east of Herkimer.

Among the shrubbery in the description of the town of Riverhead, bay-berry is mentioned. I question whether this shrub is generally known by that name. Some writers have called it candle berry myrtle; others myrtle wax tree; botanists call it myrica cerifera. If my information is right, the name bay-berry originated from there having been great plenty of them in Massachusetts-Bay.

In describing the town of Southhold, it is said, "the fish called shad, or, by the inhabitants, mossbonkers," are used as a manure. But shad and mossbonkers are different fish. Shad are too valuable to be used for manure. The name mossbonker is Dutch. The same fish were called, by the Indians, Skippaugs; and, by the English, bony fish. They were formerly thought of so little value, that the fishermen, when they caught them, would not carry them home.

In describing Utica, it is said, "this village stands on the site of old Fort Schuyler, thirteen miles north-east of Rome." This is a mistake. It is south-east from Rome.

Kakiat is the Indian name of a place in the township of Hampstead, in Rockland County. This place was settled by emigrants from Long-Island; principally from Hempstead, in Queen's County; and they gave it the name of New-Hempstead. And when that part of the county was erected into a township, it was named New-Hempstead, which was afterwards changed to Hampstead. But the village has constantly retained the original name of Kakiat.

Chateaugay Township, in Franklin County.—The true name is Chateuâgā, which was the name given the towns when first erected; but I well remember one of the members of the Assembly then observed to me that the town would soon lose its name; for that it was of Indian origin, and very few of the members of the Legislature gave it the proper pronunciation; the most of them calling it Chateaugay.

In the description of South-Hampton, nothing is said respecting its first settlement; which, we have reason to believe, was the earliest made by the Europeans on the easterly part of Long-Island. Hutchinson, in his History of Massachusetts Bay, says it was settled by inhabitants from Lynn, in or about the year 1638; the settlers intending to be independent of any of the colonies. But, in the year 1644, the town was annexed to the jurisdiction of Connecticut, by an act of the Commissioners of the United Colonies. (*See Hutchinson's History of Massachusetts, Vol. I. pages* 89 *and* 137.)

It may be proper to remark, that I do not pretend to give an accurate description of any of the places I have mentioned; my intention being merely to point out what I suppose to be errors or inaccuracies.

I do not see the propriety of the name you propose to give the Catskill mountains. It seems to me that Catsberg, or Catsmountain, is as contemptible a name for a chain of mountains as Cats creek mountain. The word Catskill prefixed to the word mountain, is to be considered rather as a designation of the place where those mountains are situated than as the name of the mountains. The meaning is, the mountains at Catskill: they never having been known by any particular name. If it is necessary to give them a name it should be in our own language, and not part English and part Dutch.

Saying a country is principally wooded with "deciduous" trees, gives an inadequate, if not an improper idea of the timber. Few readers will understand what is meant by the word deciduous.

After mentioning that the remains of fortifications in various parts of the State are very numerous, comes the following sentence: "At Schenectady, Fort Johnson, Fort Hunter, Fort Plain, Fort Anthony, Fort Herkimer, German Flats, Fort Schuyler, at Utica, and Fort Stanwix, along the Mohawk; Fort Bull, Fort Rickey, Fort Brewerton, and at Onondaga, and many other places in the Indian country." From this sentence I am unable to discover which of the forts mentioned, if any, were at Schenectady; nor where Fort Bull, Fort Rickey, or Fort Brewerton were situated.

I cannot think those remains of fortifications are of such importance as to merit a particular enumeration.

From what is said respecting wild quadrupeds, amphibious creatures, shell fish, birds, and fishes, which may be bought in New-York market, one would suppose that all those enumerated might be bought in the market in the course of the year. But bear, opossum, or wild turkey, are rarely, if ever seen in the market; and hares never, unless the American rabbit is called hare, and then there can be no wild rabbits in the market. I cannot believe that toad fish are ever carried to market, for I well know they are generally supposed not to be eatable, and when taken either in the net or with a hook are thrown away. I should think the whole article ought to be expunged.

In the description of the township of Westfield, in Richmond county, it is said, "at the head of fresh kills in the N. is Gifford's Lane." One would think this circumstance is not of such importance as to merit particular notice.

It may not be improper to mention, that Fort Neck, on the south side of Long Island, in the township of Oyster-bay, (which is now possessed by the great-grand-son of the first European settler,) derives its name from the circumstance of there having been two Indian forts on it when the Europeans first became acquainted with that part of the country. One of them, the remains of which are yet very conspicuous, was on the southernmost point of land on the neck adjoining the salt meadow. It is nearly if not exactly a square; each side of which is about thirty yards in length. The breast work or parapet is of earth; and there is a ditch on the outside which appears to have been about six feet wide. The other was on the southernmost point of the salt meadow adjoining the bay, and consisted of palisadoes set in the meadow; the tide has worn away the meadow where the fort stood, and the place is now part of the bay and covered with water; but my father has often told me that in his memory part of the palisadoes were standing. In the bay between the meadow and the beach are two islands of marsh called Squaw

Islands, and the uniform tradition among the Indians is, that the forts were erected by their ancestors for defence against their enemies; and that upon the approach of an enemy they sent their women and children to those islands, which was the reason for calling them Squaw Islands. I am,

Your friend,
SAMUEL JONES.

HORATIO GATES SPAFFORD.

No. III.

NOTES

RESPECTING THE LATE EDITIONS OF THE

REVISED LAWS

OF THE

STATE OF NEW-YORK,

IN A LETTER TO JOHN PINTARD, ESQ. RECORDING SECRETARY,

FROM

THE HON. SAMUEL JONES.

In the 30th section of an act for the amendment of the law and the better advancement of justice, passed the 5th of April, 1813, it is enacted, "that none of the statutes of England or Great Britain shall be considered as laws of this State." From this clause it might be naturally inferred that some of the statutes of England or Great Britain were considered as laws of this State till the passing of that act: which probably induced the revisers to mention in a note that the statutes of England and Great Britain ceased to be laws of this State the 1st of May, 1788.—See 1st vol. of the laws of the State of New-York, revised by Van Ness and Woodworth, page 526. In the first volume of the laws of this State, revised by Kent and Radcliff, is an act with the same title, passed the 30th of March, 1801, containing a like clause, but without any note respect-

ing it. These clauses in my opinion demonstrate the impropriety of the mode adopted in both revisions.

In the edition of the laws revised by Van Ness and Woodworth, various mistakes and inaccuracies occur, which may mislead the lawyer and the historian.

In the first volume, in page 318, it is stated in a note, that the supreme court was regulated and fixed by an ordinance from the governor and council, May 15, 1699, and by an additional ordinance of April 3, 1704; and from that time till the adoption of the constitution of the State in 1777 was held under *those ordinances only.* But there were several other ordinances during that period regulating and fixing the supreme court; particularly one in the reign of King George the First, which recites "that the former ordinances expired by their own limitation." Had the revisers reflected that the *terms* or times of holding the supreme court at the period of the American revolution differed from those fixed by the ordinances they mention, they would have perceived that there must have been some other ordinance respecting it.

From what is said in the note in page 400 of the first volume, respecting the courts for trial of causes to the value of forty shillings, it may be inferred that those courts continued to be held under the ordinance of the 15th of May, 1699, until the year 1759. But the truth is, that an act of the legislature was passed the 16th of December, 1737, entitled "an act for establishing and regulating courts to determine causes of forty shillings and under in this colony;" which continued in force until it was suspended by an act of the legislature passed the 16th of December, 1758, which extended the jurisdiction of those courts to five pounds. This was a temporary act. It was afterwards continued by other acts, the last of which expired the first of January, 1770. But on the 20th of May, 1769, an act was passed, to take effect the same first of January, 1770, increasing the jurisdiction of those courts to ten pounds, and suspending the act of 1737. This ten pound act, as it was called, was disallowed by the King the 9th of December, 1770, and the disallowance was published here the

4th of March, 1771; by which the act of the 16th of December, 1737, was revived and continued in force till it was again suspended by an act passed the 12th of March, 1772, which gave those courts jurisdiction to five pounds. This last act was in force at the revolution, and by the constitution became a law of the State. It is not improbable that the courts for trial of causes to the value of forty shillings were held under the ordinance of the 15th of May, 1699, or some similar ordinance until the passing of the act of the 16th of December, 1737; for the justice's taking a freeholder to his assistance at the trial as directed by the ordinance, was practised, at least in Queen's county, many years after passing the act of the 16th of December, 1737.

In the same note in page 400 of the first volume, respecting the court of exchequer, it is said that it was first organized in 1702; but the truth is that no court of exchequer was ever organized under the colonial government in New-York, any otherwise than by the ordinances establishing the supreme court authorizing it to have cognizance of all pleas, &c. as fully and amply to all intents and purposes as the courts of King's bench, common pleas, and exchequer in England, or either of them have or ought to have. Supposing that those ordinances gave the supreme court power to hear and determine causes in a course of equity as practised on the equity side of the exchequer in England, a bill was filed in the supreme court by the attorney general against Rip Van Dam, in the year 1732, which occasioned much heat and animosity in the colony. But the attempt did not succeed, and never was repeated.

The assertion, in the note in page 460 of the first volume, that a general system for the relief of insolvent debtors was adopted by the act passed the 17th of April, 1784, is not well founded; for that act was confined to debtors in jail; and at the next session of the legislature, the 25th of November, 1784, was revived and amended, or rather say extended, to persons then in jail. The 27th of April, 1785, another act was passed for granting relief to certain insolvent debtors, which applied only to the particular persons therein named.

But the 13th of April, 1786, an act was passed for the relief of insolvent debtors, which applied generally to all debtors, and continued in force until it was repealed in 1788, and the act called the three-fourth act was afterwards passed at the same session.

In the note in page 30 of the second volume, it is said, "the first fee bill was established by law the 24th of May, 1709." It appears that an act of the legislature was then passed for regulating and establishing fees. But that act was repealed by Queen Anne the 15th of December the same year; and the 19th of October, 1710, the governor in council issued an ordinance for regulating and establishing fees. By this ordinance it appears that a table of fees had been settled in 1693. It is to be remarked, that the right to regulate and establish fees was always claimed and exercised as a royal prerogative.

In page 141 of the second volume, is the following note: [In 1674, a court of law and equity, called the court of assizes, town courts, and courts of sessions, were held by order of the governor. Nov. 1, 1683, the first act of the legislature of the colony regulating courts of justice. In 1684, court of assize abolished; and 15th May, 1699, an ordinance of the governor and council established courts of common pleas.—Smith's History of New-York, 31, 75, 245.—Vide also Br. ed. in appendix, where the ordinance is given at large. —Vide also Br. ed. 17, 24, 56, 94.] If the reference to Smith's History is correct, he must have supposed the writing entitled "an act to settle courts of justice," a copy of which is contained in No. 4 of the appendix to this volume, was an act of the legislature of the colony, and passed the first of November, 1683. It appears by that copy that the representatives assented to the bill the 29th of October, 1683, and ordered it to be sent up to the governor and council for their assent. But it does not appear by that copy that it was passed by the governor and council. There is, however, no doubt of their having assented to it. A copy of that act and of others passed at the same session, was sent to the town of Hempstead, in Queen's county, and re-

mains in the office of the town clerk of North Hempstead, upon which their assent is entered in these words: "This bill having been three times read before the governor and council, is assented to, this second day of November, 1683.—Thos. Dongan." The court of assize must have ceased as soon as that act took effect. But it is said in this note that the court of assize was abolished in 1684, without mentioning how or in what manner it was abolished; there seems therefore to be reason to conclude that Mr. Smith is not perfectly correct in what he says respecting the colonial courts of justice. He was extensively engaged in business as a lawyer when he composed his History, and had not leisure to make the necessary examinations respecting those ancient transactions; and therefore relied in a great measure on the information he had got in revising the laws of the colony. But as the revisers were directed to commence the work with the session of the legislature in 1691, it is not probable that they paid much attention to previous transactions. It might be supposed from what is said in this note that the courts of common pleas were held under the ordinance of the 15th of May, 1699, during the colonial government; but that must be a mistake, for at the revolution neither of the courts of common pleas or sessions of the peace were held in conformity to that ordinance in any county of the colony; therefore there must have been other ordinances establishing and regulating those courts. And we find one such dated the 10th day of July, 1729, which recites that it had been represented to the governor that the ordinances theretofore made for holding the general sessions of the peace and courts of common pleas in the several counties, were found to be inconvenient; and therefore revokes all those ordinances, and every clause, matter and thing in them or any of them contained, relating to the said courts. And then proceeds to establish a court of common pleas and a court of general sessions of the peace in each of the then counties of the colony. It is probable that those courts in some of the counties, continued to be held under the ordinance of the 10th of July, 1729, during

the colonial government; but it is certain that other ordinances were made respecting those courts in several of the counties. It is worthy of remark, that by the ordinance of the 15th of May, 1699, the court of sessions was to be first held and to continue only two days; and the court of common pleas was to be held at the same place the sessions were held, and to begin the next day after the sessions ended, and then only to continue two days. But by the ordinance of the 10th of July, 1729, both those courts were to be opened on the same day and at the same place, the one of which to be opened immediately after the other of them, so that the business of the one or the other of them might be constantly proceeded in; each of which courts might be held and kept for any time not exceeding four days. It is also remarkable that the ordinance of the 15th of May, 1699, with respect to the supreme court and sessions, annexed Dutchess county to Ulster, and totally omitted Orange county: which last circumstance seems to be very unaccountable.

The author of the note in the pages 523 and 524 of the second volume says, that "in 1683 the first regular system of taxation was adopted by law." And then asserts that the frequent wars in which the colony was involved in consequence of the collisions of the mother country with the nations of Europe, plunged the colony into an enormous debt which was severely felt by its inhabitants. And as an evidence of the fact he enumerates various sums as raised by tax or bills of credit; and concludes that it is not perhaps too extravagant to say, that the wars in which Great Britain was engaged from time to time before the year 1776, cost the colony nearly a million of pounds. He then adds, that the first regular system of taxation in this State was adopted in 1788. What he means by regular system of taxation, may perhaps admit of a question. But we do not meet with any evidence of any system of taxation adopted in 1683. It is true that the legislature in that year passed an act granting duties on certain articles for the support of government; and similar acts, as well as acts imposing an Excise duty were afterwards

during the colonial government, passed and continued, and some of them were in force when that government was dissolved. But we meet with no act of the legislature respecting direct taxes until the 13th of May, 1691, when an act of the legislature was passed for defraying the public and necessary charge throughout this province. This act was repealed and other provisions made by an act passed the 18th of October, 1701; and again explained by an act passed the 19th of June, 1703; which last act with some alterations was in force at the revolution, and by the constitution became a law of the state; and continued in force until it was repealed by the state legislature: the act for defraying the public and necessary charge in the several counties of this state, passed the 7th of March, 1788, was therefore only the continuance of a system previously adopted.

Among the sums enumerated as evidence of the debt into which the colony was plunged, in consequence of the wars in which the mother country was engaged, is one sum of £150,000, emitted in bills of credit by virtue of an act passed the 3d of July, 1759; and another sum of £120,000, emitted in bills of credit by virtue of an act passed the 16th of February, 1771. It is not a little surprising how either of those sums could possibly be considered as debts of the colony; for the first of them was a loan to Sir Jeffery Amherst, then commander in chief of the British troops in America, and was soon repaid in specie; and the other sum was issued for the purpose of furnishing the inhabitants with a circulating medium, which had become scarce, and was therefore put out on loan to them. This emission of 120,000*l.* was long after the conquest of Canada, in a time of peace, and when the colony was so far from being in debt that all direct taxes had ceased; and instead of plunging the colony into debt, gave it a net annual income of upwards of 5000*l.* But if the wars in which Great Britain was engaged had really cost the colony a million of pounds, it may be asked, what probably would have been the fate of the colony if it had not been protected or assisted by the mother country: and whether if the colony had been independent, con-

sidering the neighbourhood and conduct of the French and Indians, as large a sum if not larger would not have been required for its protection and defence? It ought however to be recollected, that the last of those wars was not occasioned by any collision of the mother country with any nation; but by a collision of the American colonies with the French; and therefore it may be said that Great Britain in that war sustained a heavy expense for the protection and defence of the colonies.

It may be proper to mention that the first legislature in the colony of New-York, passed an act on the thirtieth of October, 1683, entitled, "The Charter of Libertys and Privileges granted by his Royal Highness to the Inhabitants of New-York and its Dependencies;" by which it was enacted in substance, that lands should not be sold by execution. This was agreeable to the law of England; and probably continued to be the law of the colony, until by an act of parliament passed in the fifth year of the reign of King George the Second, upon the petition of the English merchants trading to the colonies, real estates in the plantations were made assets for the payment of their debts. This statute was by practice in this colony soon extended to all debts; and at last to judgment against executors and administrators, which was manifestly illegal and unjust, as it outraged an established principle of law, by depriving persons of their property who were never called or had an opportunity to answer; and therefore the practice was forbid by the fifth section of an act passed the 4th of April, 1786. But no law of the colony or state made lands liable to be sold upon executions until the 19th of March, 1787, when an act was passed for that purpose, among other things.

By the same act, called the Charter of Liberties, passed the 30th of October, 1683, it is enacted, "that no estate of a feme covert shall be sold or conveyed but by deed acknowledged by her in some court of record, the woman being secretly examined if she doth it freely without threats or compulsion of her husband." This provision is agreeable to the law of England. But in England a woman can only be so examined on

levying a fine; and as the levying of fines of land was not then practised in this colony, it seems to have been supposed that such examination and acknowledgment before a judge of a court of record in the colony would be as effectual as if made on the levying a fine; which became and continued the common practice without any legislative authority to warrant it, until the 16th of February, 1771, when an act of the legislature was passed to confirm certain ancient conveyances, and directing the manner of proving deeds to be recorded, which confirmed conveyances made by femes covert under certain circumstances, and directed the manner of executing such conveyances in future.

SAMUEL JONES.

Oysterbay South, Queen's County, State of New-York, 1815.

No. IV.

LETTER

TO THE

RECORDING SECRETARY

OF THE

NEW-YORK HISTORICAL SOCIETY,

FROM

THE HONOURABLE SAMUEL JONES.

Oysterbay South, 20th December, 1817.

Sir,

Your letter of the 10th instant was duly received, together with the report of the American Bible Society, for which I give you thanks.

I now send you the pamphlet containing an account of Bradstreet's expedition to Frontenac.

The pamphlet, entitled A Letter to a Noble Lord, could not have been the joint production of Smith, Livingston, and Alexander, as Mr. Alexander was then in England soliciting the payment of a large balance due from the crown to the New-York contractors for

the army. He remained there from sometime in the autumn of 1756 until some time in 1761. During that period, he assumed the title of nobility. -The manuscript was probably sent to him to get it printed: or he might have been furnished with the matter by Smith, or Livingston, or both, and procured it to be written and printed in London. The last time I saw judge Benson, he told me that some person in New-York, whom he named, but whose name I do not recollect, was possessed of the manuscript. If I could see it, I think I could ascertain whether it is in the hand-writing of Smith, Livingston, or Alexander.

In answer to the inquiry whether I can give any information respecting Chief Justice Smith in the affair of Andre, I can only say that I had very little communication with Mr. Smith while he was in New-York during the revolutionary war, and never heard him mention the case of Andre. But Mr. Kempe, the then Attorney-General, told me that when the news came that Andre was a prisoner, he was summoned to attend the General; that he found there Mr. Smith and several officers of the army; that the General stated the case of Andre, and asked their opinion whether the Americans could hang him as a spy; that Mr. Smith answered that he had turned over some leaves on the subject, and that he thought they could not hang him; that he, Mr. Kempe, remaining silent, one of the officers asked his opinion; and that he answered, I think they will hang him; upon which the officer turned from him in disgust; and that no further question being asked or notice taken of him, he retired, leaving Mr. Smith and the officers in consultation on the subject.

Soon after meeting with Spafford's Gazetteer, I made some observations on it in a letter to the author, a copy of which I now send you. But let it be remembered, that I took notice only of those things of which I possess some knowledge; there may therefore, for aught I know, be many other mistakes and inaccuracies in the book: or for aught I know, there may not be any other than those I mentioned.

I do not possess either of the volumes published by

your society; and therefore desire you to deliver a copy of each of them to my grandson Samuel W. Jones, who is instructed to pay for them.

With sincere wishes for your health and happiness, I remain, your friend,

SAMUEL JONES.

P. S. I was 83 years old the 6th of August last, being born, as my parents informed me, the 26th of July, 1734, O. S.

JOHN PINTARD, ESQ.
Recording Secretary of the New-York Historical Society.

No. V.

REMARKS

ON

SMITH'S HISTORY OF NEW-YORK,

LONDON EDITION, 1757.

IN A

LETTER TO JOHN PINTARD, ESQ.

In page 28, speaking of Governor Nicolls, Smith says, "he erected no courts of justice, but took upon himself the sole decision of all controversies whatsoever." This must be a mistake; for the orders and regulations made during his administration, for the government of the Province, and which formed a part of the book called the Duke's Laws, appear to have been passed "at a Court of General Assizes, in New-York;" which is conclusive evidence that the court was erected by him. The former inferior judicatures were probably continued, as it was agreed by the sixteenth article of the capitulation, that "all inferior officers and magistrates

should continue till the customary time of new elections, and then new ones to be chosen," for it is not to be supposed that the inhabitants of Albany were to attend before the governor at New-York, a distance of one hundred and sixty miles, for the decision of causes to the value of forty shillings, and under.

In page 31, speaking of Governor Lovelace, Mr. Smith says, "instead of taking upon himself the sole determination of judicial controversies, after the example of his predecessor, he called to his assistance a few justices of the peace;" and adds, "this was called the Court of Assizes." But the Court of Assizes was erected by his predecessor Governor Nicolls. It was held before the Governor and Council, in whom the legislative power, under the Duke, was vested; and, therefore, the court from time to time, issued orders and regulations which were considered as laws of the Province. It is not improbable that some other persons besides the Council were occasionally called to assist as Judges in the Court. What is said in the note in the same page, respecting the town Courts, is certainly exceptionable. No mention is made when or by whom such Courts were erected. The word "overseers," wants explanation; and the word "seven," seems to be a mistake; for it cannot be supposed that so many Judges would be required for such a Court, and of such characters, as would make it difficult, if not impracticable, to assemble the requisite number. Perhaps the word *seven* should be *even*. To give an accurate account of all the provincial judicatures, from the conquest, in 1664, would require considerable research. Mr. Smith, when he compiled his History, was extensively engaged in business as a lawyer; and had little, or no leisure, to make the necessary examinations; and, therefore, relied in a great measure, on the information he had got in revising the laws of the Colony. But as the revisers were directed to commence the work with the session of the Legislature, in 1691, it is not probable they paid much attention to previous transactions.

When Governor Andros quitted the administration of

the government of New-York, is not mentioned. The reader is left to suppose, either that he continued to administer the government until the arrival of Dongan, or that the Province was some time without any Governor. But the truth is, that Anthony Brockholst was commander in chief in that interval. When the administration of Brockholst commenced or ended, I am not informed; but he certainly acted as commander in chief in July, 1681, and in April, 1683. The precise time of his administration may probably be ascertained by the minutes of Council.

The assertion in page 34, that Andros was "immediately" preferred to be Governor of Boston, is incorrect. That appointment did not take place till the year 1686.

In page 44, Mr. Smith mentions Governor Dongan's issuing orders for choosing Representatives to meet him in Assembly; but says nothing of their meeting. It appears by the records, that a session of the Assembly was held pursuant to the summons; at which several important laws were passed. Another session was held in 1684, but, it is believed, that there was not any other session of the Assembly until the revolution. The cause of the omission requires investigation. It has been alleged, and, it is not improbable, that the Duke, upon becoming King, refused to confirm the privileges he had before granted, and determined to govern the Province by his absolute power. It is, therefore, reasonable to suppose, that in the new commission or orders to Governor Dongan, the authority respecting the Assembly was omitted, or revoked.

The word *Nuromand*, in the second note in page 46, is a typographical error. It should be *Huron and*.

In page 58, Mr. Smith mentions the seizing the fort; and in the beginning of page 59, is the following sentence: "Colonel Dongan, who was about to leave the Province, then lay embarked in the bay, having a little before resigned the government to Francis Nicholson, the Lieutenant Governor." The latter part of this representation is believed to be a mistake. The fort was

seized the 31st of May, 1689; and it appears by a minute of Council, of the 28th of July, 1688, that the King's order to his Excellency Colonel Thomas Dongan, to deliver up the seal of the Province unto his Excellency Sir Edmund Andros, was then read, and ordered to be recorded amongst the records of the Province of New-York; and, in another minute of the Council of the 30th of the same month, it is mentioned that it was his Majesty's pleasure, that this Province should be annexed to his government of New England. The last patent issued by Dongan, is dated the 2d of August, 1688. It is said there are no minutes of Council in the Secretary's office, from the 2d of August, 1688, until the 19th of March, 1691. What is become of them is uncertain. But without doubt, Dongan resigned his authority pursuant to the order he had received; and Sir Edmund Andros must have been in New-York the 24th of August, 1688, for he issued a proclamation, dated that day at New-York, reciting that he had received certain information of her Majesty's being safely delivered of a prince; and, therefore, with the advice of the Council, ordering a general thanksgiving for the same, "to be observed in the city of New-York, and dependencies, on Sunday, the second day of September, next coming; and fourteen days after in all other parts of this dominion." (*See Hutchinson's History of Massachusetts Bay, printed at Boston*, 1764, *page* 372.) Sir Edmund Andros, and other officers of government, were seized and imprisoned by the inhabitants at Boston, the 18th of April, 1689. Upon the news reaching New-York, a letter was sent to some of the principal inhabitants of Boston, dated at New-York, the 1st of May, 1689, and signed by Francis Nicholson, Frederick Philips, Nicholas Bayard, and Stephen Courtland, (who were all members of the Council,) in which they express their surprise to hear of the confusion the inhabitants of Boston had occasioned, by taking "that part of the government" to themselves; and their hope that his Excellency, and the rest of the officers, might be restored to their former stations, or, at least, have liberty to come "hither." And then add:

"for this part of the government we find the people in general inclined to peace and quietness, and doubt not the people will remain in their duties." (*See Hutchinson's History of Massachusetts Bay, page* 383.) From these facts it is manifest that Dongan resigned his authority, as Governor, at least nine months before Leisler seized the fort; but that he remainded here until that time is not improbable, as he possessed a large and valuable estate in the Province. Mr. Smith seems not to have known any thing of Sir Edmund's having received a new commission which included New-York, and, therefore, supposed that Dongan must have resigned the government to Nicholson; but there is reason to believe that he resigned it to Sir Edmund himself. It is said that Leisler convened two sessions of Assembly, at which various laws were passed; and it is certain that he, in some measure, aided in the expedition against Canada, in 1690. Mr. Smith, in his History, takes no notice of either of those circumstances; and, in the account he gives of the expedition, in page 68, he differs materially from the account given by the commander of the land forces. Mr. Smith says, "Sir William made two attempts to land below the town, but was repulsed by the enemy with considerable loss of men, cannon, and baggage." The commander of the land forces, in his account, given to the Council of Massachusetts, says, the army landed the 8th of October, and continued a-shore until the night of the 11th, and then re-embarked. And from his account, it does not appear that there was any considerable loss of men or baggage by the enemy. Five field pieces, by some neglect, were left a-shore when the troops embarked, and were lost for want of due care. (*See Hutchinson's Account of Massachusetts Bay, page* 401, *and Appendix, No.* 21.)

In page 73, there is the following sentence: "those acts which were made in 1683, and after the Duke's accession to the throne, when the people were admitted to a participation of the legislative power, are, for the most part, rotten, defaced, or lost." From this assertion it might be supposed, that some acts were passed by the representatives of the people, after the Duke's

accession to the throne, and while he was King; but we meet with no evidence of any session of an Assembly being held during his reign: on the contrary, there is abundant evidence of the wish of James the Second, to rule by arbitrary power.

In page 103, after mentioning the trials of Bayard and Hutchins, it is added, "after these trials, Nanfan erected a Court of Exchequer." The correctness of this assertion is, at least, doubtful. No Court of Exchequer was ever erected under the colonial government, any otherwise than by the ordinances establishing the Supreme Court, authorizing it to have cognizance of all pleas, civil, criminal, and mixt, as fully and amply to all intents and purposes as the Courts of King's Bench, Common Pleas, and Exchequer, in England, have, or ought to have. And it is worthy of remark, that the Court of Exchequer is not mentioned in any other part of this History, except in the account given of the Supreme Court, in page 246; and from the account there given, it is manifest that the question was, whether the Supreme Court had authority to hear and determine causes in a course of equity, according to the practice of the Court of Exchequer, in England? The trials of Bayard and Hutchins were in March, 1702; and in the minutes of Council, the 6th of April, 1702, is the following entry: "whereas there are several matters depending in the Court of Exchequer, which cannot be finished or put an end to by the time limited in the ordinance for establishing Courts of Judicature, &c. It is hereby ordered, that the Clerk of the Council prepare an ordinance impowering and requiring the said Court of Exchequer, to meet and sit, and as near as may be, according to the course of the Court of Exchequer, in England, to hear, try, and determine, all such matters and things as now are, or shall from time to time be hereafter commenced, or depending before the said Court of Exchequer, until the same shall be fully and perfectly finished and ended." This order was probably the ground of Mr. Smith's assertion, that "Nanfan erected a Court of Exchequer." Whether any ordi-

nance was prepared or issued pursuant to the order I have not been able to discover. But it appears from the terms of the order, that instead of erecting a court of exchequer, the court of exchequer therein mentioned was a court then in existence, and was erected by the "ordinance for establishing courts of judicature." The only ordinance then existing for establishing courts of judicature bears date the 15th of May, 1699. That ordinance erected courts for trial of causes to the value of forty shillings and under; courts of sessions and common pleas; and a supreme court; which supreme court is thereby fully impowered to have cognizance of all pleas, civil, criminal, and mixt, as fully and amply to all intents and purposes whatsoever as the courts of king's bench, common pleas, and exchequer in England have or ought to have; but erects no court by the name of the court of exchequer. By that ordinance the supreme court could hold only two terms in a year, each to continue five days and no longer. But by an ordinance dated the 2d of April, 1704, reciting that the times limited by the ordinance of the 15th of May, 1699, for the meeting and sitting of the supreme court, were so seldom and so short, that the suits therein could not be finished but at great expense both of money and time; the supreme court was authorized to hold four terms in a year. It is therefore probable if any ordinance was issued pursuant to the order of council of the 6th of April, 1702, it was only to authorize the supreme court to sit and hear exchequer causes in the vacation.

In page 134 it is said, "when the Dutch began the settlement of this country, all the Indians on Long Island were in subjection to the five nations." This is at least doubtful. An early historian asserts that the Narragansets held dominion over part of Long Island. (See 1 vol. Mass. Historical Society, page 144, &c. Daniel Gookins;) and the Montauk sachem at the east end of the island paid tribute to the united colonies of New England several years previous to 1656.—(See 2d vol. of Hazard's collections of state papers, page 361.) Long Island is at least 120 miles in length;

the possessions of the Dutch on the island never extended above thirty miles eastward of New-York. The eastern part of the island, and extending to the town plot of Oysterbay inclusive, was settled by people from New England. The Dutch finding all the Indians within and adjoining their settlements on Long Island tributary to the Mohawks or five nations, probably concluded from that circumstance that all the Indians on the island were so: but I doubt there being any evidence that such was the fact; on the contrary, there is a tradition among the Montauk Indians that their ancestors had wars with the Indians on the main, who conquered and compelled them to pay tribute. This tradition is corroborated by the historian who asserts that the Narragansets held dominion over part of Long Island; and by the fact that the Montauk sachem paid tribute to the four New England colonies.

The description of Hudson's river in pages 201 and 202 is erroneous in several particulars. The Saucondaga river which in this description is supposed to be the Hudson, may be considered as a distinct river or a branch of the Hudson. Its course from its source is first southerly and then northerly and easterly, until it falls into the Hudson 12 or 15 miles southwesterly from the south end of Lake George. From this junction the course of the Hudson is first south somewhat east 6 or 8 miles; then northerly and easterly 8 or 10 miles; and then generally south about 12 or 15° west to the bay at New-York. About 15 or 20 miles north of where it receives the Saucondaga, the Hudson is divided into two nearly equal branches; the one called the north-east, and the other the north branch. The assertion that the Hudson is navigable for batteaux from Albany to Lake George, except two portages of half a mile each, is incorrect, and contrary to the note on the same sentence, in which it is said, "in the passage from Albany to Fort Edward, the whole land carriage is about 12 or 13 miles." The Hudson passes 8 or 10 miles west of the south end of Lake George. The north east branch in its course approaches nearer to the lake, perhaps within 5 or 6 miles. The notion that a summer's

passage to Albany is on account of the fish in the river diverting to such as are fond of angling, is without foundation. I have many times passed up and down the river by water between New-York and Albany, and although I have made frequent trials upon such occasions, I never took a single fish by angling.

In page 244 it is asserted, that "justices are by act of assembly enabled to hold courts for the determination of small causes of five pounds and under." The first act giving them jurisdiction to five pounds was passed the 16th of December, 1758—The book (Smith's) was printed in 1757.

It is remarkable that the words *governor* and *error* wherever they occur in this History have the letter *u* in the last syllable. This however is not to be attributed to Mr. Smith. In the original manuscript those words were written *governor* and *error*. The person in London to whom the copy was sent to get it printed there made the alteration. And I well remember, that on receiving the books and discovering the alteration, Mr. Smith expressed his disapprobation of it.

This History has often been charged with partiality in respect to the episcopalians and presbyterians. But I have never heard any particular of such supposed partiality mentioned; nor am I acquainted with any circumstance that would warrant the supposition. It has also been charged, particularly by lieutenant governor Colden, with misrepresentation respecting the conduct of the government towards captain Lauglin Campbel. Mr. Smith says, "the project of captain Campbel unfortunately dropped, through the sordid views of some persons in power, who aimed at a share in the intended grant; to which Campbel, who was a man of spirit, would not consent." But from what I have been able to learn upon the subject, it is at least doubtful whether Campbel's failure was owing to the cause mentioned by Smith. It seems his expectation was to obtain a grant of the land to himself, and to settle the families he brought from Scotland on it under him in the manner of the clans in the highlands of Scotland;

and when he found that could not be effected, he dropped the project in disgust.

I have lately met with what is called a Continuation of the History of New-York, printed at the end of a new edition of Smith's History by Ryer Schermerhorn. The author, whoever he was, does not seem to possess all the requisites for such a work. Some of his observations are pertinent and judicious; but the production is exceptionable in various respects and in many particulars. To enumerate its errors and defects would require more time and labour than I feel disposed to bestow upon it. I will however mention a few; Rip Van Dam had administered the government as president of the council from the death of governor Montgomerie to the arrival of governor Cosby, who soon after his arrival laid before the council an instruction, dated the 31st of May, 1732, by which half the salary and perquisites was ordered to the president for the time being, and the other half was ordered to be paid to governor Cosby; and the council immediately made an order for Van Dam to pay into the hands of the treasurer half the money he had received for salary and perquisites since the death of governor Montgomerie. Van Dam refused to pay the money; and the attorney general thereupon exhibited a bill of complaint to the justices of the supreme court against Van Dam, charging that he had, as president of the council, received the whole salary and perquisites accruing by the administration of the government from the death of governor Montgomerie, on the 1st July, 1731, to the arrival of his present excellency Col. William Cosby on the 1st of August, 1732; and that his Majesty by an instruction, dated the 31st of May, 1732, had ordered to the president for that time half the salary and perquisites; and praying a discovery upon oath of the salary and perquisites; and that the defendant may be decreed to pay half into the treasurer's hands for the use of his Majesty. Van Dam by way of plea set forth three exceptions to the power of the court. The question therefore was, whether the justices of the supreme court were authorized to hear and determine causes in equity

according to the course of the court of exchequer in England. The judges of the court were then Lewis Morris, chief justice; James De Lancey, second justice; and Frederick Philips, third justice. The chief justice gave his opinion in the negative; but the other two judges being of opinion that the court could hear and determine matters on the equity side of the exchequer, overruled the exceptions. And it was upon that question that Smith and Murray were heard before the assembly. The author of the continuation makes no mention of the controversy respecting the half salary or the exchequer, but supposes the question respected the establishment of the court of chancery, which is a mistake.

Speaking of the address of the assembly to lieutenant governor Clarke in 1737, the author of the continuation says it complained of the court of chancery not being regulated by law; and "that under governor Sloughter in 1691, that court was established by an act of the general assembly." This is not correct; the assembly in that address, after declaring their opinion that courts of general jurisdiction ought to be settled and established by the acts of the whole legislature, add, "it was the method in use here both before and since the revolution, and particularly recommended to the assembly to be done in that manner by a message from governor Sloughter and council on the 15th of April, 1691." The phrase "court party," does not seem to be properly applied. There were generally, if not always, parties in the colony during the colonial government. But they were rather personal than political; and it is not believed that any of them ever were, or could with propriety be called the *court party.*

The words *governor* and *error*, where they occur in this continuation, have *u* in the last syllable. This probably is because they are so in the quarto edition of Smith's History; but if the author had known how that happened, it is not likely he would have continued it.

SAMUEL JONES.

Oysterbay, West Neck, Queen's County,
State of New-York, 24th November, 1817.

No. VI.

Further Notes on Smith's History of New-York; London edition, 1757.

Oysterbay South, 24th November, 1817.

Sir,

Your letter of the 12th instant was duly received; and I now enclose some remarks on Smith's History of New-York, and what is called a continuation of it. To elucidate the history of the province during the reign of James the Second, and until the arrival of Governor Sloughter, it will be necessary to examine the commission or orders given by the Duke of York, after he became King, to Governor Dongan; and the tenour and extent of the new commission to Sir Edmund Andros in 1688; and the provincial records during the time that Leisler acted as commander in chief.

I have part of a pamphlet entitled a letter to a noble lord, printed in London, if I recollect right, in 1757; several pages at the beginning and end being lost. This pamphlet was written in New-York; and it is believed from circumstances that William Smith, afterwards chief justice of Canada, was the author; that he copied it himself, never permitting either of his clerks to see a word of it; that the manuscript was carefully nailed up in a box prepared for the purpose and sent to London to be printed. The pamphlets when received from London were not publicly distributed; and only a few of them were given to particular individuals. But it soon became known in the city that such a pamphlet existed. I was then a clerk in Smith's office, and wished to procure one of the pamphlets, but all my endeavours for the purpose were fruitless; and I never got one until some time during the revolutionary war, when I met with one at an auction in New-York and purchased it. The Society ought to possess the pamphlet, and if a complete one cannot be procured, I will send them what remains of mine. I also have a pamphlet entitled an impartial account of Lieut. Col. Brad-

street's Expedition to Fort Frontenac, printed in London in 1759, which I will send to the Society if they have no copy of it. I formerly had several other pamphlets which would be useful to the Society; one containing the trial of Zenger; another relating to the case of Forsey and Cunningham, in which case lieutenant governor Colden laboured to introduce an appeal from the verdict of a jury; and a copy of the journal of the proceedings of the convention of New-York that adopted the constitution of the United States. These are either mislaid or left in New-York; but as they were extensively circulated, I suppose copies can be procured in the city.

It is said that but few of the acts of the legislature passed previous to the revolution of 1689 are to be found in the secretary's office. It was the practice at that time to enrol the acts of the legislature on parchment; and I recollect to have seen at Boston in 1785, on the floor in an upper room of a public building, among a parcel of loose papers, several parchment rolls containing copies of acts of the legislature of New-York, which I suppose were carried to Boston by Sir Edmund Andros after he received his new commission including New-York in his government.

I wish to be informed whether the Society include recent publications in their collection; such as gazetteers and tracts of that sort? I make the inquiry because all those I have seen contain errors and mistakes which will have a tendency to mislead the future historian.

The old recorder has not forgotten his friend the common council-man; nor the many agreeable hours we passed with the former members of the corporation. But, as you well observe, we must all look for another and better world: that we may all be truly thankful for the many blessings bestowed upon us in this life; and well prepared for the change, is the sincere wish of

Your old friend,

SAMUEL JONES.

JOHN PINTARD, ESQ.

Recording Secretary of the New-York Historical Society.

No. VII.

Further Notes on Smith's History of New-York; London edition, 1757.

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1. In the 2d page, Smith says, the Dutch erected Fort Good Hope on Connecticut river in 1623; but Trumbull, in his History of Connecticut, says it was not erected until 1633.—(See Trumbull's History of Connecticut, page 21.)

2. After mentioning the meeting of the New England colonies upon a design of extirpating the Dutch; and that Massachusetts Bay declined the enterprise; Smith says, in the 5th page, "which occasioned a letter to Oliver Cromwell from William Hooke, dated at New-Haven, November 3, 1653, in which he complains of the Dutch for supplying the natives with arms and ammunition, begs his assistance with two or three frigates, and that letters might be sent to the eastern colonies commanding them to join in an expedition against the Dutch colony;" and then adds, "Oliver's affairs would not admit of so distant an attempt." But Trumbull, in his History of Connecticut, says, the application to Cromwell was in the name of both the general courts of Connecticut and New-Haven; and that in answer to their petitions, Oliver sent an armament for the reduction of the Dutch, which arrived at Boston early in June, 1654; that the colonies immediately commenced preparations for the expedition: but while these were making with vigour and despatch, the news of peace between England and Holland prevented all further proceedings relative to the affair.—(See Trumbull's History of Connecticut, pages 219, 220, and 227, 228.)

3. In the beginning of the 10th page, Smith says, "while the Dutch were contending with their European

neighbours, they had the art always to maintain a friendship with the natives until the war which broke out this year (meaning 1663) with the Indians at Esopus, now Ulster county. It continued, however, but a short season." But it appears from Trumbull's History of Connecticut, that in or about 1643, a war broke out between the Dutch and the Indians, on the main and on Long Island, which continued several years; and that the Dutch governor applied to New-Haven for assistance.—(Pages 138, 139 and 164.)

4. In the 9th line of the 11th page, between the word *latitude* and the word *which*, the words, " and crosseth over thence in a straight line to Hudson's river in forty-one degrees of latitude," are omitted.

5. In speaking of the commissioners appointed by King Charles the Second, the 26th of April, 1664, to visit the New England colonies and settle disputes, Mr. Smith, where their names occur, mentions Sir George Carteret as one of them; but George Cartwright, Esquire, was the commissioner, and not Sir George Carteret. In the commission, the commissioners are thus designated: " Colonel Richard Nichols, Sir Robert Carr, Knight; George Cartwright, Esq. and Samuel Maverick, Esq."

6. Between the word *and*, at the end of the 10th line, and the word *why*, in the 11th line of the 26th page, the words " by Mr. Howell and Capt. Young of Long Island," are omitted; and the words " to agree upon the bounds of the said colony," substituted in their stead. It is remarkable that the words substituted do not comport with what precedes or follows them. Instead of a comma, there should be a period at the end of the word *respectively*, in the 16th line of the same page; and instead of a period, there should be a comma at the end of the word *above-named*, in the 18th line; and the word *governors*, part of which is at the end of the 17th and part at the beginning of the 18th line, should be " governor." Query, whether the word *thirteen*, at the beginning of the 20th line, should not be *twelve*.

7. The date, 1698, in the beginning of the 28th line of the 77th page, should be 1691. This is probably a typographical error.

8. Speaking of the judges of the supreme court, Mr. Smith in page 245 says, "they hold their offices by separate commissions under the great seal of the province, which were formerly during pleasure, but of late quamdiu se bene gesserint." The correctness of the latter part of this sentence is much doubted. Mr. De Lancey obtained from the colonial governor Clinton, the commission of chief justice during good behaviour; but I have always understood that the commissions to all the other judges during the colonial government were during pleasure; and the assembly, in their petition to the King in 1775, pray that he would be graciously pleased to remove the distinction between his subjects in England and those in America, by commissioning his judges here to hold their offices during good behaviour. The truth may be ascertained by the records in the secretary's office.

SAMUEL JONES.

Oysterbay South, 1818.

No. VIII.

Oysterbay South, 30*th January*, 1818.

Sir,

Your letter of the 23d of December last was duly received, together with the two volumes of the collections of the New-York Historical Society, for which I return them my thanks.

I possess no traditionary knowledge of Leisler or the transactions of his government. Doubtless there must be some record of public affairs during the time he acted as lieutenant governor or commander in chief of the colony. Trumbull, in his History of Connecticut, mentions that there was a meeting of commissioners from Massachusetts, Rhode Island, and Connecticut, with Leisler at New-York the first of May, 1690, to consult the common defence; and says that at this

meeting the commissioners conceived the plan of an expedition against Canada; that it was proposed with about eight or nine hundred Englishmen and five or six hundred Indians to make an attack upon Montreal, while a fleet and army of eighteen hundred or two thousand men were to proceed up the St. Lawrence, and at the same time make an attack upon Quebec; and gives an account of the proceedings of both armies, which seems to have been taken from authentic documents. From this account it appears that the agreement of the commissioners at New-York was signed by Leisler; and that a copy of it remains among the records of Connecticut.—(See Trumbull's History of Connecticut, pages 402—405.) It is presumable that Leisler upon that occasion must have convened an assembly of the colony to enable him to perform his part of the agreement.

It appears by the Society's catalogue that they possess the papers called the Independent Reflector. It was supposed that William Livingston, afterwards governor of New-Jersey, William Smith, jun. afterwards chief justice of Canada, John Morin Scott, William P. Smith, and William Alexander, afterwards Lord Stirling, were the authors of those papers. How long the publication continued I do not recollect; but I cannot believe that it was, or could have been, tyrannically suppressed as mentioned in the catalogue. My impression is that the printer refused to continue the publication: perhaps his refusal may have been attributed to the influence of some persons in power. Livingston, Smith, and Scott, not long after commenced a periodical production under the title of the Watch Tower. It was published in Hugh Gaine's newspaper; he having agreed with the authors, in consideration of fifty pounds a year, to appropriate the front page of his paper to their use. This contract ended in the autumn of 1755; and the printer refused to continue or renew it. Whether the authors wished it, I do not know; but I heard Mr. Gaine tell Mr. Smith he should not continue it. Mr. Livingston, some years afterwards, published periodical papers for a considerable time. These I pre-

served and had bound in a volume which I gave to his son William near twenty years ago, and I suppose it yet remains in his possession, and probably many other of his father's publications, as he informed me he intended to collect and republish them.

The Society ought to possess a copy of the proceedings of the provincial congress and convention of the colony; but there is reason to believe their proceedings were not all regularly entered into books: for when the revisers of the laws of the State applied to John M^c^Kesson, who was secretary both to the congress and convention, for a copy of the constitution of the State, in order to have it printed with the revised laws, he informed them that no copy had ever been made or entered; and it appeared that some parts of the constitution then remained on separate and unconnected papers; so that it would have been impracticable to make a correct copy of it without the information and assistance of Mr. M^c^Kesson. What has become of those papers I do not know. The last account I have had of them, they remained in the possession of Mr. M^c^Kesson, thrown indiscriminately into a barrel. If they are yet in that state, there is reason to fear they will soon be lost or destroyed, unless some care is taken to preserve them: I therefore suppose the legislature would upon application order them to be delivered to the Historical Society.

In the list of the members of the Society I see my name. When, how, or by what means I became a member is unknown to me; your information upon the subject will therefore oblige,

Your friend,

SAMUEL JONES.

JOHN PINTARD, ESQ.
Recording Secretary of the N. Y. Historical Society.

[The above Letters from Mr. Jones were read at several meetings of the Historical Society.]

NEW-NETHERLANDS.

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[The Society is indebted to its honorary member, JOHN LEEDS BOZMAN, Esq. for the following document, which illustrates the transactions of the government of *New Netherlands*, a subject of considerable obscurity in the annals of our early history. Mr. Bozman is the author of "a Sketch of the History of Maryland," a work of merit.—The New-York Historical Society acknowledges its obligations to Mr. Bozman, for his valuable communication.]

An Extract from the Records in the Council Chamber, in the city of Annapolis, in the State of Maryland, relative to the dispute between the government of New-Netherlands, (now New-York,) and the Lord Proprietary of Maryland, concerning the title of the Dutch to the Territories on the Delaware, (now State of Delaware;) taken from the book entitled "Council, &c. H. H. 1656 to 1658, &c." page 43.

At a Council, held at Ann Arundell, 3d August, 1659:

Present, The Governor*, the Secretary†, Colonel N. Utie, Mr. Edward Lloyd.

Then was taken into consideration his Lordship's instruction and command, to send to the Dutch in Delaware-bay, seated within his Lordship's Province, to command them to be gone. And

Ordered, That Colonel Nathaniel Utie, do make his repaire to the pretended Governor of a people seated in Delaware-bay, within his Lordship's Province, and that

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* Josias Fendall, Esq.

† Philip Calvert, Esq. brother to the Lord Proprietary, Cecilius Lord Baltimore.

he do give them to understand, that they are seated within this, his Lordship's Province, without notice given to his Lordship's Lieutenant heere, and to require him to depart the Province.

That in case he find opportunity he insinuate unto the people there seated, that in case they make their application to his Lordship's government heere, they shall find good Conditions, according to the Conditions of Plantation granted to all Commers into this Province, which shall be made good to them, and that they shall have protection in their lives, liberty, and estates which they shall bring with him.

The Letter of the Governor to the Commander of the People in Delaware-bay.

SIR,

I received a letter from you directed to me as the Lord Baltemore's Governor and Lieutenant of the Province of Maryland wherein you suppose yourself to be Governor of a people seated in a part of Delaware-bay, which I am very well informed lyeth to the southward of the degree forty, and therefore can by no means owne or acknowledge any for Governor there but myself, who am by his Lordship appointed Lieutenant of his whole Province, lying between these degrees 38 & 40: but do by these require and command you presently to depart forth of his Lordship's Province, or otherwise desire you to hould me excused, if I use my utmost endeavour to reduce that part of his Lordship's Province unto its due obedience under him.

At a Council held at Patuxent, October 6th, 1659;

Present, The Governor, the Secretary, Captain William Stone, Mr. Thomas Gerrard, Mr. Luke Barber, Colonel Nathaniel Utie, Baker Brooke, Edward Lloyd---

Came Augustino Herman and Resolved Waldron and presented the Governor and Council with a Letter and Credentials from Petrus Stuyvesant General of the New-Netherlands in Dutch and Englished by Mr Simon Oversee by order of the Council, as followeth, viz;—

Honourable Lords,

Wee have with great astonishment understood how that one Collonel Nathaniel Utie of late without that there is yet shewed to us any lawful qualification commission or order from any State or Government but only upon a seditious Cartebell in form of an Instruction without inserting any time or place or where or from whom or in whose name order or authority it was written, only subscribed Philip Calvert Secretary, is come to us within our government and colony of New-Amstell, and upon the same so formed Instruction hath demanded the foresaid places and colony of New-Amstell, and upon refusal hath threatened the Governor, Council, and Inhabitants of the place to blood, in case that the foresaid fortress and colony is not rendered willingly within the time and space of three weeks, and to come again by force of people to inforce the same by way of hostility to invade the same. And moreover the inhabitants of the said place subject to the high and mighty Lords States General of the United Provinces have sought to alienate, and to induce to rebellion from their lawful Commander and our Nation which is also directly against the Confederacy peace Articles between the Republic of England and the above said High and Mighty Lords States General of the United Provinces made in the year 1654, And whereas the aforementioned Collonel Nathaniel Utye in his discourse did make mention as if he by you thereto was qualified and commanded, Which nevertheless Wee out of the aforesaid pretended Instruction in noe ways can be induced to believe, therefore we have, to avoid all misunderstanding between these Governments people and subjects, thought fit to send to you as Agents and Embassadors our well-beloved and trusty Augustin Hermans and Resolved Waldron for to remonstrate all what is aforesaid and how ill those odious proceedings will be taken by the High and Mighty Lords States General, the LordsOverseers of the West India Company, and the High Esteemed Lords and Governors of the City of Amsterdam, as they are taken now already soe by us, and to request for what is past (in reference to the Articles of Peace, and in a kind and

neighbourly way the apprehension of certain fugitives, All this in conformity to their Commission, These are only to serve for their Address and Safe-conduct, And we accordingly request, that the foresaid our Commissioners according to the right of Nations may be creditted and beleived as our trusty Embassadors which wee in like occasions at all tymes shall be willing to acknowledge, and remain in all other observations which we trust shall be accepted in all cordiality.

Honoured Lords, your affectionate friends and Neighbours

P. STUYVESANT.

By Command of the Lords Overseers General and Lords Councellors of N. Netherland.

C. V. RUYVEN, *Secretary.*

Dated Fort Amsterdam in New Netherland the 23d September 1659.

Superscribed as followeth—

Petrus Stuyvesant in behalf of the High and Mighty Lords States General of the United Provinces, the noble Lords Overseers of the authorised West India Company as Director General of New Netherlands Curacoe Bonayko* Araba and the appertenants of them with advice of the Lords of the Council, To all men that these shall come to see and hear, Salut. Wee make known that we have qualified, authorized and have given power, as we do qualify, authorise, and give power by these Presents to Srs Augustine Heermans and Resolveert Waldron as our trusty Embassadors to address themselves to the Honble Josiar Fendall Governor of Maryland, and after the delivery of the copy of this and Letter to his Honour in a friendly and neighbourly way to request the redelivery and restitution of such free people and servants as for debt and otherways have been fled and as to us is given to understand that for the most part are residing in his Honour's Government especially about a year since have gone out of this Colony of the High well Esteemed Lords Governors of

* It is so spelt as above, in the record,—Bonayko; but probably means Bonaire, or Buen-aire, an island lying about forty miles to the eastward of Curacoe

the Citty of Amsterdam which if you do we are ready to assure you that in maintaining of good Justice and neighbourly duty to do the same beside all those that may come Runaways to us out of any of your Neighbour Governments, otherwise if contrary-wise your Honour shall make any exception or delay upon this friendly and neighbourly representation then to his honour, as also to the Council or any that this may concern to make it knowne that Wee shall be inforced Lege Talionis to publish and to grant all liberty and stay free from arrests, and recess to all planters (Servants and Negroes included) which are now out of his Honour's Government or hereafter shall come to us.

Secondly, Wee doe command our foresaid Embassadors and Agents to make known to the Lord Governor and his Council what has past about the coming and arrival of one Nathaniel Utye in the foresaid Colony of N. Amstell, seeking to suborne and induce the inhabitants of the High and Mighty Lords of the said Colony to Rebellion from their legal Commander and our Nation, and further without lawful order act or qualification from any State, Prince, Parliament or Government, shewing onely an authorized Instruction or Cartabel without tyme or place or when written nor by order of any State, Province, or Parliament or Government subscribed, demanding and in case of refusal threatning our said fortress to blood with the said colony of N. Amstel, thereto adding the said fortress within the tyme of three weeks (in case the same was not surrendered willingly) with power of people to invade by way of hostility which is altogether contrary to the Articles the 2d, 3d, 16th and last of the confederacy and peace between the Republick of England and the Netherlands in 1654 made; And also, Wee out of the said conceived Instruction, by Col. Nathaniel Utye delivered, to the Lords Directors of the said Colony of N. Amstel cannot conceive any higher power or authority or order to such seditious proceedings and persuasions to the subjects from their legal Lords and owne Nation, and far less for to demand

and threaten such places where their undoubted Right can be shewed by Pattent of the High and Mighty Lords States General granted to the noble Lords Overseers of the West-India Company, further by bargain and sale and Deeds of the Natives and possession above these forty years, which is then contrary to the Law of Nations and contrary to the forementioned Articles of Peace to this time as yet intirely observed, to whose judgment and decision all Questions (if there should arise any between both Nations) first must be reserved according to the last Article of the Peace where our own forenamed Embassadors are especially authorised and commanded seriously to request the foresaid Lord Governor and his Council by virtue of the foresaid Articles of Peace to give us right and justice against the said Colonel Nathaniel Utie with reparation of damages already sustained by his frivolous demands and bloody threatning) In conservation of our plantations in the South river and hereafter may be inforced to do.* And further by these our open commission doe request that the above-mentioned Embassadors Augustinus Heermans and Resolvert Waldron as our trusty agents according to the Law of Nations may be † heard and full credit may be given promising to ratify and to approve, and to hold of force what shall be done by them according to the commission as if such was done by ourself. These Wee have given under our ordinary Cachett and signature in Amsterdam in N. Netherlands the 23d of September Anno One thousand six hundred and fifty nine.

P. STUYVESANT,

Locus Sigilli. By command of the Lord Director General of the N. Netherland Curacoe, &c. and the Lords of the Council.

C. V. RUYVEN, Secret.

After which the said agents delivered the ensuing Declaration, (vizt.)

Declaration and Manifestation by way of Speech

* Something seems to be wanting in the preceding sentence to render the sense of it complete; but it is, as above, in the record.

† The word here omitted is not legible in the record.

delivered unto the Honble. Governor and Council of the Province of Maryland in Chesapeake-Bay from and in the behalf of the Honble. Governor Generall and Counsell of the Province of the New Netherlands.

Notifying first and foremost the ancient original Right and Title the Subjects of the High and Mighty States General of the United Provinces under the propriety of the Lords of the West Indy Company of Amsterdam in Holland have unto the Province of the New Netherlands, latituded from 38 to about 42 by the great Ocean Sea and from thence * all * Islands and main continent) northerly up to the river of Canada, on the West side Virginia and now Maryland upon the great bay of Chesapeake, and on the East New-England. To say, that their ancient right and tytle to that parte of the New found World of America. Both in a manner derived to them, first from the king of Spaine, as then subjects or vassalls to the first finder and fundator of that New World Who after Warr and Peace in those days concludeth did renounce and give over unto the United Republick of the Seven Provinces aforesaid all his Right and Tytle of those Countries and dominions they have then in process of tyme conquered and seated in Europe America and elswhere whereof the abovesaid Province of the New Netherlands the Island of Curacoe and Brasille became the true proper inheritance to the Dutch Nation in those parts in that respect.

Secondly, As for the Generallity The French were in the year of our Lord God Allmighty 1524 the second followers of the Discovery in the Northerne partes of this America by Jehan de Verazzano a Florentine—Then came the English and Dutch afterward also, and took possession in the parts we are in now, for since the yeare 1606 or 1607 to about 18 or 20 The English established and seated their Colony of Virginia by distinct Pattent from the degree 34 to about 38. The Dutch the Manhatans from 38 to 42, And New England from the degree 42 to 45, The French

* The words in the two blanks above are not legible in the Record.

claime in Florida and in Canada (Spaine the West Indies or Mexico, The Portugalles Brasill) And thus in this New World divided amongst the Christian Princes of Europe, by communication of each other's Embassadors agreed upon—Out of which reason King James of England did will command and require that the Colony or Province of Virginia, and the Province of New England should remain asunder and not meet together within the distance and space of a hundred leagues which was allotted for the Dutch Plantations then called by the General name of Manhattans, after the name of the Indians they were first seated by — And is here to be noted that they deeply mistake themselves who interprett the Generall name of Manhattans aforesaid, unto the particular Towne built upon a little Island because as it is said it signified the whole countrey and Province, or at least that particular place in that Province as per Example, like it is frequent still to this day amongst some to say to goe or come from the Manhattans when they mean the whole Province like unto Virginia or Maryland for that particular Towne itselfe is never named the Manhattans, but New Amsterdam. And as for the South River or as it is called by the English Delaware in the particular: The said River was in the Primitive tyme likewise possessed, and a Collony planted in the Western Shore within the mouth of the South Cape called the Hoore-Kill to this day. The Dutch Nation erecting there and all over the countrey their States Armes and a little fforte, but after some tyme they were all slained and murthered by the Indians Soe that the possessions and propriety of this river at the first in his Infancy is sealed up with the bloud of a great many Sowles.—After this in the yeare 1623 the fforte Nassaw was built about 15 leagues up the River on the Eastern Shore, besides many other places of the Dutch, and the Dutch Swedes to and againe settled, untill it thought the Governor Generall and Counsell good to remove the said fforte Nassaw in the year 1650 downwards to the Western Shore againe, and there to fix a towne as it is to this day. No man ever making any protest or claime from Maryland or

Virginia against it. Wee say furthermore, to have the propriation and inst. Right and Tytle of that whole river (and all our abovesaid Province) also lawfully obtained and legally bought from the Natural proprietors the Native Indians, especially the Westerne Shore from tyme to tyme hitherto, as farr and more within land to the West, as our lyne and limits as yet are extended and seated. By virtue of all which and the Right and Tytle abovementioned wee have alwaies maintained and defended the said River against all usurpers and obstructors as it is publickly knowne to this day, and shall doe for ever.

Thirdly, from that primitive tyme aforesaid have the Dutch Nation in the Province of the New Netherlands, and the English Nation in the Province of Virginia and Maryland aforesaid allwaies friendly and neighbourly corresponded together, and that which is very well to be noted * selfe in the last open warr without any claime injury or molestation one to another. Until upon the eighth day of September this running yeare 1659 Col. Nathaniel Utie came to our aforesaid South River (by the English called Delaware-Bay aforesaid) into the Towne and fforte New Amstell erected in the year 1650 as abovesaid, and without any speciall Commission or lawful authority from any State Prince Parliament or Government exhibited onely by a peice of paper a Cartabell by forme of an Instruction from Philip Calvert Secretary written without year or day nor name or place where neither signed nor sealed by any State Prince Parliament or Government demandeth in a manner and required in a strange way, That the Towne and Countrey should be delivered and surrendered up to the Province of Maryland as he saith for my Lord Baltemore. Going from howse to howse to seduce and draw the inhabitants to rebell and fall from their right lawfull Lords Soveraigne Government and Province with threatning in case of no present willing submission, and delivery to come again and bring them

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* A small blank here in the record, which seems as if to be filled up with the words—"by your*selfe*."

to it by force of arms fire and sword whereto he saith a great company were kept and held for that purpose in readiness, Nay that the whole Province of Maryland should rise and come to bring them under and that they then should be plundered and their houses taken from and so forth. Against which action and incursions and illegal proceedings, The deputy-governor and magistrates of the aforesaid River and Collony firmly have protested, and answer made under their own hand subscribing, dated the 9th of September, 1659, last past insinuating that the further occupation of that great business of consequence did belong and must be referred to the Honble. Governor Generall and Councelle of the whole province of the New Netherlands of whom an answere should be expected within three weeks tyme. Who after ayd and assistance done to their subjects in the aforesaid River have us underwritten as Embassadors and Messengers with all speede send hither to you the Honble. Governor and Councell, Assembly, or whom it any way might concern in the Province of Maryland of Chesapeake-Bay, for to declare and manifest by power and authority of our Commission whereof wee this present deliver Duplicatt.

First, That the foresaid injurious parts are done not only against the Lawe of Nations Neighbourly friendship, and common equity, But also directly contrary to the amity confederacy and peace made and concluded in the year of our Lord God Almighty 1654, Betweene the two nations of the Republick of England and the Republick of the United Provinces and their subjects all over the World (vizt.) Articles, 2, 3, 5, 6. 9. 10th and 16. Whereby Wee proclaime the said amity and peace is disturbed and interrupted by the said Col. Nathaniel Utie or his Principals of the Province of Maryland against the Province of New Netherland aforesaid, And therefore make protest and by power from the abovesaid 16 Article of Peace and * Demand Justice and Satisfaction of all those wrongs and damages the Province of the New Netherlands and

* The word here in the Record is not legible

their Subjects have already by the abovesaid injurious proceedings suffered, or as yet may come to suffer.

Secondly, Wee demand the sending and retourning back to our foresaid South River and Colony all the Dutch and Swedes people subjects Runaways and fugitives which from tyme to tyme especially this present yeare (for the most part deeply * indebted, or delinquents) are come over and remaine in this Province of Maryland as it is strongly suspected by meanes of the abovesaid odious and injurious designe from hand to hand encouraged. Declaring that the said Honble Governor Generall and Councell of the New Netherlands are in readiness to doe the like in sending and retourning back to Maryland all those Runaways and fugitives which may come into their jurisdiction and government aforesaid, Which manifestation in case of not That according to Lege tallionis, The Honble Governor Generall and Councell of the New Netherlands aforesaid hould themselves constrained necessitated and excused to publish free liberty access and recess to all planters servants negroes fugitives and runaways which from tyme to tyme may come over out of the Jurisdiction of Maryland into the jurisdiction of the New Netherlands aforesaid.

And whereas (to say some things by way of a little discourse to the supposed Claime or pretence of my Lord Baltemore's Pattent unto our aforesaid South River or Delaware-Bay) Wee utterly deny disowne and reject any power and authority (except breakers of peace, and actors as publick enemies which rests only upon their strength and self will) that may or can legally come to reduce or subdue the said river and subjects from their right lawful Lords and Proprietors by whom it is undeniable justly and lawfully possessed and seated about fforty yeares agone as abovesaid, when to the contrary the Pattent of the said my Lord Baltemore is of no longer standing and settlement than about 24 or 27 yeare, without any particular expressions or special Tytle mentioned to take that River of Delaware-

* The word in the record here is not legible.

Bay from the Dutch Not insomuch as Sr. Edmund Ploy then in former time would make us believe hee hath hath unto when it afterward did prove and was found out, hee only subreptiff and obreptiff hath something obtained to that purpose which was invalid. And putt the Case the said my Lord Baltemore or any other hath any seeming Tytle to the aforesaid River or Delaware-Bay then his Lordship according to the 30th Article of Peace and Confederacy should have made his repair before the 18th of May 1652 to the Honble Commissioners appointed by both States a purpose for the determination of such and the like differences as might have been committed or transacted betweene the two nations in the forraigne parts of the world ever since the yeare 1611 to the 18th day of May, 1652. after which tyme it is in plaine tearmes prohibited and proclaimed that then noe pretences more should be admitted.

In obedience to which to prove the true meaning and interpretation of the aforesaid thirtieth Article by two evident Examples and Witnesses of your owne Law and chiefest authority of the Republic of England Wee say that New England in those days claiming also some interest to our Limitts from their side, And my Lord Protector's Shipps by open war sent hither to subdue the aforesaid Province of New Netherlands at the other side Peace being concluded renounced and deserted upon that occasion their designe and went against the French. So that the Right and Tytle the Dutch Nation have unto their Province of the Netherlands aforesaid ever since more and more stands confirmed and ratified. But forasmuch new motion is made and question moved into our Westerne limitts, and having thereupon observed and suspected the Bay of Chesapeake in the uppermost parts therefore winding soe much to the North East to run about Sassafrax and Elke River into our Lyne, wee therefore lay also claime to those parts untill by due Examination hereafter the truth hereof may be found out or agreed and settled amongst us otherwise.

Lastly and finally to conclude The Honble Governor Generall and Councell of the New Netherlands abovesaid doth declare and manifest that like Wee at our side

never have intended any wrong or offence to the Province of Virginia or now Maryland in the Bay of Chesapeake So wee desire to continue still with them in all neighbourly amity confederacy and friendship Saveing only that Justice and Satisfaction may be given as here demanded. Propounding further by way of advice to prevent further mischiefe that three rational persons on each side may be committed out of each Province aforesaid for to meete at a certain day and tyme about the middle of between the Bay of Chesapeake and the aforesaid Sowth River or Delaware Bay at a Hill lying to the head of Sassafrax river and another River coming from our River almost meet together, with full power and commission to settle there the bounds and limitts of between the aforesaid Province of the New Netherlands and the Province of Maryland for ever, if possible, otherwise to referr the difference they might find not agreeing to both Lords Proprietors or Soveraigns in Europe, But in the mean while that all further hostility or infractions to each other may cease and not proceed further Soe that the Honble. Governor Generall and Councell of the New Netherlands hereof assured further charges and damages excused may call their soldiers home which upon the Action or to defend their Province and Colony aforesaid are only sent thither and that Wee both sides at a fair correspondence may be kept as alwaies hitherto before.

By Denial or refusal whereof Wee do proclaim our Innocency and Ignorancie to all the World and doe protest generally against all wrongs injuries charges and damages already sustained and suffered, or as yet to be suffered and sustained. Declaring and manifesting that wee are and shall be then necessitated and forced by way of recourse or Reprisaill according to the 24th Article of Peace to preserve maintaine and to hould our Right Tytle and Propriety of our aforesaid South River Colony or Delaware-Bay and our subjects lives liberties and estates as God in our just cause shall strengthen and enable us.

Desiring this may be recorded and notified unto all to whom it in any way may concerne with the true meaning and tennor thereof, and that a speedy direct answer and dispatch may be given to us in writing from you the Honble. Governor and Councell of the Province in Maryland for to be retourned and recorded by our Honble. Governor Generall and Councell of the Province of New Netherlands.

And soe wishing the Lord God Almighty will conduct your Honours both to all prudent results That Wee may live neighbourly together in this Wilderness to the advancement of God's glory and kingdom of Heaven amongst the Heathens, and not to the destruction of each other's Christian bloud, whereby to strengthen the barbarous Indians nay may rather joyne in love and league together against them Which God our Saviour will grant.

Written and signed by our owne hands in the Province of Maryland in Chesapeake Bay at St. Mary's County and delivered this 6th day of October Anno Domini 1659, in Patuxent.

AUGUSTINE HERMAN
RESOLVED WALDRON.

Which Declaration being read by the said Augustinus Herman and delivered to the Governor hee withdrew and the Conncell resolved that the business be forthwith taken into debate, and that they would have ready an answere by Saturday the 8th instant by five of the clock in the afternoone and adjourned till next morning.

At a Councell held at Patuxent
Octob. the 7th 1659.

Present—

The GOVERNOR	LUKE BARBER
SECRETARY	Col. NA. UTIE
Capt. WM. STONE	BAKER BROOKE
Mr. THOS. GERRARD	ED: LLOYD, Esqrs.

The Councell took the Declaration, &c. of the Dutch Embassadors into consideration, and after long debate considering his Lordship's Instructions and order were only to give the Dutch warning to be gone, that when wee are able to beat them out, they may not plead ignorance—Resolved that an answer be given in writing by way of Letter directed to the Generall of the Manhattans in these words, (vizt.)

Honnorble. Lords

Wee have received your Letters of Credence by the hands of Srs. Augustinus Herman and Resolved Waldron your Embassadors wherein as wee find many expressions of love and amity, soe wee accompt our Selves obliged to retourne you reall thanks in unfoulding the causes of that which it seems hath been the reason of your astonishment and wonder, and as the matter shall permitt give you that satisfaction which with reason you can expect and which wee likewise shall exact from you in the rendring to us as Substitutes of the Right Honble. Cecilius Lord Baron of Baltemore, Lord and Proprietary of this Province, &c, That part of his Lordship's Province lying in Delaware-Bay to us entrusted and by you (as it seems) injuriously seated in prejudice to his Lordship's just right and tytle.

ffor answere therefore unto your demands by your said Agents made, Wee say that Colonel Nathaniel Utie was by us in pursuance of a Command from the Right Honble. Lord Proprietary ordered to make his repaire to a certain People seated upon Delaware-Bay within the 40th degree of Northerly latitude from the Equinoctial Lyne to let them know that they were residing within our Jurisdiction without our knowledge much more without our Licence without Grant of Land from or Oath of Fidelity to his Lordship taken Both which are expressly by his Conditions of Plantation and Lawes to all Comers here to inhabit conditioned and enjoined, And further to offer unto them such Conditions in case they intended there to

stay, as Wee ourselves enjoy. But in case of refusal and abode there made, to let them knowe wee should use lawfull meanes to reduce them to that obedience which all people within the degree aforesaid are bound to yield unto us intrusted within this Province by the Right Honble. the Lord Baltemore sole and absolute Lord and Proprietary of the same by Pattent under the Great Seale of England bearing date 20th of June in the yeare of our Lord God 163 * And since by Act of Parliament confirmed (a copy whereof wee have shewed to your said Embassadors) And since you by your writing as well as by your Embassadors seeme to insinuate that the said Colony in Delaware Bay is seated there by and under your Command Wee doe protest as well against them and you, as against all other persons either Principals or Abettors in the said Intrusion upon our bounds and confines. Our damages and costs in due tyme and by all lawfull meanes to recover which wee either have or shall at any time hereafter chance to sustaine by the Recovery of that place soe seated within our bounds and limitts, and injuriously by you deteyned.

The original Rights of the kings of England to these Countreys and Territoryes must be our endeavour to maintaine, not our discourse to controvert, or in the least our attempt to yield up, as being that which wee can neither accept from any other power, nor yield up to any other authority without the consent of our Supreme Magistracy their Successors in the Dominion of England. Though wee cannot but minde you that it is no difficult matter to shew that your pretended tytle to that parte of this Province where those people (now if at all the first tyme owned by the High and Mighty States to be in Delaware-Bay seated by their order and authority) doe live, is utterly none, and your Pattent (if you have any) from the States Generall of the United Provinces voide and of noe effect.

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* This blank is so in the Record; but must mean the year 1632, the date of the Patent.

And to those Instructions by us delivered to the said Col. Nathaniel Utie, soe much insisted on by you Wee say they are such as every person inhabitant of this Province ought to take notice of, as being subscribed by the Secretary of this Province, and to noe other did wee give them or hee make use of them. Neither can wee believe the High and Mighty States Generall, &c, Doe thinke or will now owne those people at Delaware Bay to be there seated by their authority since they have heretofore protested to the Supreame authority then in England not to owne their Intrusion upon their Territories and Dominions. As to indebted persons if any be here that are to you engaged our Courts are open and our Justice speedy, and denyed to none that shall demand it of us, which wee think is as much as can in reason be expected, And the self-same course wee take, and the onely remedy wee afford to our Neighbour Colony of Virginia and our fellow-subjects and brethren of England. Thus hoping that you will seriously weigh the consequences of your actions Wee rest in expectation of such a complyance as the style you give yourselves imports having taught us to subscribe ourselves

your affectionate friends
and Neighbours.

And ordered that notice be given to the Embassadors to attend their Answere the next day according to former Order of the Board.

Mdm. After the answere agreed upon the said Augustine Herman and Resolved Waldron presented the fol lowing paper, vizt.

Upon the sight and viewe of my Lord Baltemore's Pattent this 7th day of October 1659 presented unto us by the Honble. Governor and Councell of Maryland.

To say—Reserved only what the Honble. Governor Generall and Councell of the New Netherlands in the behalfe of our Lords Proprietors and Soveraigns the High and Mighty States Generall of the United Provinces might have to alledge against it.

Wee repeate and reply our former declaration and manifestation the 6th of this instant delivered unto the Hoable. Governor and Councell of the Province of Maryland, and say further

That the originall foundation of the aforesaid Pattent sheweth and maketh appeare that my Lord Baltemore has hath to his Royal Majesty of England petitioned for a Countrey in the parts of America which was not seated and taken up before only inhabited (as he saith) by a certain barbarous people the Indians. Upon which ground his Royal Majesty did grant and confirme the said Pattent.

But now whereas our South River of ould called Nassaw River of the New Netherlands (by the English Sirnamed Delaware) was taken up appropriated and purchased by virtue of Commission and Grant from the High and Mighty States Generall of the United Provinces long before. Therefore is his Royal Majesty's intention and justice not to have given and granted that part of a Countrey which before was taken in possession and seated by the subjects of the High and Mighty States Generall of the United Provinces as is declared and manifested heretofore. Soe that the claime my Lord Baltemore's Pattent speakes of, to Delaware Bay or a part thereof, in several other respects and punctuality is invalid. Of which wee desire that Notice may be taken. *Actum* as above.

AUGUSTIN HERMAN
RESOLVED WALDRON.

Which being read the said Augustin was asked whether they had here any Pattent or Coppy of a Pattent from the States Generall of the Netherlands or not, to which hee answered hee had not any. Whereupon the Councell resolved to take noe notice of that paper, and ordered the answere to be engrossed, and so adjourned till next day three of the Clock afternoone.

October the 8th

Present as yesterday.

The answere was tendred to the Councell but there being some errors in the Clerk's copy adjourned till next morning.

October the 9th—Present as the 7th.

The Embassadors being come the letter was signed by the Governor, and by the appointment of the Councell by the Secretary, in the name and dated (vizt.) Given at Patuxent the 9th of October 1659, and soe delivered to the said Embassadors.

DESCRIPTION

OF SOME OF

THE MEDALS,

Struck in relation to Important Events in North America, before and since the Declaration of Independence by the United States. By James Mease, *M. D. Honorary Member of the New-York Historical Society. Read 9th June*, 1818.

1. Occasion.—Settlement of Pennsylvania. Silver.

Face—A head of William Penn.

Legend—William Penn—Born 1644, died 1718.

Reverse. Device—Penn standing: his left hand on his walking cane, and shaking hands with an Indian Chief, who is holding a bow in his left hand.

Legend—By Deeds of Peace.

Exergue—Pennsylvania, settled 1681.*

2. Occasion.—In honour of the late General John Armstrong, of Carlisle, Pennsylvania, for destroying the Kitanning Indian towns. Silver.

Device—An officer followed by two soldiers: the officer pointing to a soldier shooting from behind a tree, and an Indian prostrate before him. In the back ground Indian houses are seen in flames.

Legend—Kitanning destroyed by Colonel Armstrong, September 8, 1756.

Reverse. Device—The arms of the corporation of Philadelphia. These consisted of four devices: on the right hand, a ship under full sail: on the left, a pair of scales equally balanced: on the right, above the ship, a wheat-sheaf: on the left, two hands locked.

Legend—The gift of the Corporation of the City of Philadelphia.†

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* I am not informed by whose authority this medal was struck. It is preserved in the Cabinet of the Library Company of Philadelphia.

† See Note A.—Silver medals were presented to each of the commissioned officers.

3. Occasion.—Promoting peace with the Indian tribes.
Device—A head of George II.
Reverse Device—A citizen and Indian seated under a tree; the former holding up the calumet of peace: the Indian in the act of receiving it. A fire, as usual on such occasions, is between them. The sun is in the zenith.
Legend—Let us look to the Most High, who blessed our fathers with peace.—1757.*

4. Occasion.—Evacuation of Boston by the British troops, in 1776. Gold.
Face—The head of General Washington.
Legend—Georgio Washingron supremo duci, exercitum adsertori libertatis. Comitia Americana.
Reverse—Troops advancing towards a town which is seen at a distance. Troops marching to the river. Ships in view. General Washington in front, and mounted, with his staff, whose attention he is directing to the embarking enemy.
Legend—Hostibus primo fugatis.
Exergue—Bostonium recuperatum Die Martii MDCCLXXVI.†

5. Occasion.—Surrender of Lieutenant General Burgoyne and his army, at Saratoga, New-York. Gold.
Face—A head of General Gates, in profile.
Legend—Horatio Gates duci strenuo. Comitia Americana.
Reverse—Gates and Burgoyne in front of the American and British troops. Burgoyne in the act of presenting his sword to Gates. The Americans on the right, with arms shouldered, and colours flying. The British on the left, in the act of grounding their arms, and laying down their colours. Between the two Generals are a drum and stand of colours.
Legend—Salus regionum septentrional.
Exergue—Hoste ad Saratogam in Dedition.—accepto.—Die Oct. MDCCLXXVII.‡

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* See Note B.——† See Note C.——‡ See Note D.

6. Occasion.—Capture of the Serapis, English frigate, Captain Pearson, by the Bon Homme Richard, Captain John Paul Jones.

Face—Head of John Paul Jones, a good likeness.

Legend—Joanni Paulo Jones, classis prefecto. Comitia Americana.

Reverse—Two frigates engaged yard-arm and yard-arm: the English ship severely battered in the sides. Another ship lying across the bow of the British frigate.

Legend—Hostium navibus captis, aut fugatis.

Exergue—Ad oram Scotiæ xxiii. Sept. MDCCLXXVIII.*

7. Occasion.—Taking the fort of Stony-Point, on the North-River, by storm. Gold.

Device—An Indian Queen crowned: a quiver on her back; and wearing a short apron of feathers: a mantle hangs from her waist behind: the upper end of the mantle appears as if passed through the girdle of her apron, and hangs gracefully by her left side. She is presenting with her right hand, a wreath to General Wayne, who receives it gracefully. In her left hand, the Queen is holding up a crown towards the General. On her left, and at her feet, an alligator is stretched out. She stands on a bow: a shield, with the American stripes, rests against her left knee.

Legend—Antonio Wayne, duci strenuo. Comitia Americana.

Reverse. Device—A fort with two turrets, on the top of a hill: the British flag flying: troops in single, or Indian file, advancing in the front and rear up the hill: numbers lying at the bottom. Troops advancing in front, at a distance, on the edge of the river: another party to the right of the fort. A piece of artillery posted on the plain, so as to bear upon the fort: ammunition on the ground: six vessels in the river.

Legend—Stony Point oppugnatum.

Exergue—XV. Jul. MDCCLXXIX.†

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* See Note E. † See Note F.

8. Occasion.—Same as the preceding. Silver.

Device—America personified in an Indian queen, is presenting a palm branch to Captain Stewart: a quiver hangs at her back: her bow and an alligator are at her feet: with her left hand she supports a shield inscribed with the American stripes, and resting on the ground.

Legend—Johanni Stewart cohortis prefecto. Comitia Americana.

Reverse—A fortress on an eminence: in the foreground, an officer cheering his men, who are following him with charged bayonets, in pursuit of a flying enemy: troops in Indian files ascending the hill to the storm, front and rear: troops advancing from the shore: ships in sight.

Exergue—Stony Point oppugnatum, xv. Jul. MDCCLXXIX.

9. Occasion.—Same as the preceding. Silver.

Device—A soldier helmetted and standing against the ruins of a fort: his right hand extended, holding a sword upright: the staff of a stand of colours reversed in his left: the colours under his feet: his right knee drawn up, as if in the act of stamping on them.

Legend—Virtutis et audaciæ monum. et præmium D. De Fleury Equiti Gallio Primo Supr. muros Resp. Americ. D. D.

Reverse—Two water batteries, three guns each: one battery firing at a vessel: a fort on a hill: flag flying: river in front: six vessels before the fort.

Legend—Aggeres Paludes Hostes Victi.

Exergue—Stony Pt. expugn. xv. July 1779.

10. Occasion.—Capture of Major André, Adjutant General of the British army. Silver.

Device—A shield.

Legend—Fidelity.

Reverse—A wreath.

Legend—Vincit Amor Patriæ.*

* See Note G.

11. Occasion.—Victory at the Cow Pens, North Carolina. Gold.

Device—An Indian chief with a quiver on his back, in the act of crowning an officer with a laurel wreath: his hand resting on his sword: a cannon lying on the ground: various military weapons and implements in the back ground.

Legend—Danieli Morgan Duci exercitus. Comitia Americana.

Reverse. Device—An officer mounted, at the head of his troops, charging a flying enemy. A battle in the back ground: in front a personal combat between a dragoon unhorsed and a foot soldier.

Legend—Victoria libertatis vindex.

Exergue—Fugatis captis aut cæsis ad Cowpens Hostibus.—xvii. Jan. mdcclxxxi.

12. Occasion.—Same as the last. Silver.

Device—An officer mounted with uplifted sword, pursuing an officer on foot, bearing a stand of colours; Victory descending in front over the former, holding a wreath in her right hand over his head: a palm branch in her left hand.

Legend—Joh. Egar Howard,* Legionis Preditum Præfecto. Comitia Americana.

Reverse. Inscription.—Quod in Nutantem Hostium Aciem Subito Irruens, Præclarum Bellicæ virtutis Specimen Dedit in Pugnam ad Cowpens xvii. Jan. mdcclxxxi.*

13. Occasion.—Same as the two last. Silver.

Device—An officer mounted, at the head of a body of cavalry, charging flying troops: a Victory over the heads of the Americans, holding a laurel crown in her right hand, and a palm branch in her left.

Legend—Gulielmo Washington, Legionis Equit. Præfecto. Comitia Americana.

Reverse. Inscription—Quod Parva militum manu, Strenue Prosecutus Hostes, virtutis Ingenitæ Præclarum

* See Note I.—Mr. Howard's name is John Eagar Howard.

Specimen Dedit in Pugna ad Cowpens, XVII. Jan. MDCCLXXI.*

14. Occasion.—Gallant conduct at the Eutau Springs, South Carolina. Gold.

Face—Head of General Greene.

Legend—Nathanieli Greene, Eggregio Duci. Comitia Americana.

Reverse—A Victory lighting on the earth: under her feet broken arms; colours; a shield.

Legend—Salus Regionum Australium.

Exergue—Hostibus ad Eutaw debellatis, die viii. Sep. MDCCLXXXI.

15. Occasion.—Alliance of the United States with France. Copper.

Device—A head of liberty: a liberty cap on a staff, resting on her right shoulder.

Legend—Libertas Americana, 4 Jul. 1776.

Reverse—Pallas holding a shield in her left hand, with three fleurs de lis on it, (the arms of France,) and opposing it to a leopard, which is springing against it: her right hand drawn back, and holding a barbed javelin, as if in the act of plunging it into the leopard: under the shield, an infant strangling a serpent, which he is holding up; and, at the same time, stooping to pick up another at his feet.

Legend—Non sine Diis animosus infans.

Exergue—17, Oct: 1779
19, 1781.†

The above are all the medals struck in reference to public events, in North America, previously to the close of the war of Independence. Those for General Wayne, Colonel Fleury, and Captain Stewart, were executed under the direction of Dr. Franklin; and those presented to Generals Washington, Gates, Greene, and Morgan, and Colonels Howard and Washington, were contracted for by the late Colonel Humphreys.§ The dies were engraven by Dupres and Duvivier.

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* See Note H.—† See Note K.

‡ See his letter to Mr. Carey, American Museum, Philadelphia, vol. ii.

16. Occasion.—Capture of the French frigate La Vengeance, by Captain Thomas Truxton, of the United States frigate Constellation. Decreed March 29, 1800.

Face—A head of Captain Truxton.

Legend—Patriæ Patris Filio digno Thomas Truxtun.

Reverse—Two ships of war: the French a two decker: both much shattered: the rigging of both much cut up.

Legend—The United States frigate Constellation, of thirty-eight guns, pursues, attacks, and vanquishes the French ship La Vengeance, of fifty-four guns; 1 Feb. 1800.*

17. Occasion.—To Commodore Preble, for his good conduct in the attack on the Dey of Tripoli, in 1804. Decreed March 3d, 1805.

Gold face—Head of Commodore Preble.

Legend—Edwardo Preble Duci Strenuo Comitia Americana.

Reverse—The American fleet bombarding the town and forts of Tripoli.

Legend—Vindici Commercii Americani.

Exergue—Ante Tripoli, MDCCCIV.†

The following gold medals, for victories by the Navy of the United States, over British vessels of war, during the last war between the United States and England, were decreed by Congress and the state of Pennsylvania. War was declared in June, 1812, and the treaty of peace signed at Ghent, December, 1814.

1. To Captain Isaac Hull, of Connecticut, commander of the United States frigate Constitution, of 44 guns, for the capture of the Guerriere, Captain J. R. Dacres, rated at 38 guns, but carrying 50; on the 19th August, 1812.

* See Note L. † See Note M.

2. To Captain Jones, of Delaware, of the Wasp sloop of war, for the capture of the sloop of war Frolic, Captain Whinyates, October 18, 1812.—Vote for the above two passed January, 29, 1813.

3. To Captain Stephen Decatur, of Philadelphia, of the frigate United States, for the capture of the Macedonian frigate, Captain John Carden, on the 25th October, 1812.

4. To Captain William Bainbridge, of Philadelphia, of the frigate Constitution, for the capture of the frigate Java, Captain Lambert, on the 30th December, 1812. Passed March, 3, 1813.

5. To Com. Oliver Hazard Perry, of Rhode-Island, commodore of the fleet on Lake Erie, for the signal victory over a British squadron of superior force, on that lake, on the 10th September, 1813. Voted January 6, 1814.

6. To Captain Jesse Duncan Elliot, of Baltimore, second in command, for his gallantry in the same action. Passed January 6, 1814.

7. To Commodore O. H. Perry,

8. To Captain J. D. Elliott,

9. To Lieutenant John J. Yarnal, of Pennsylvania, for good conduct in the same action, voted by the Legislature of Pennsylvania, January 31, 1814.

10. To the nearest male relative of Lieutenant Willam Burrows, of Philadelphia, killed in action, and

11. To Lieutenant Edward R. M'Call, of South-Carolina, first and second in command of the brig Enterprise, for the capture of the British sloop of war Boxer, Captain Blythe, September 4, 1813. Passed 6th January, 1814.

12. To the nearest male relative of Captain James Lawrence, of New-Jersey, of the sloop of war Hornet, for the capture of brig Peacock, Captain William Peak, on the 24th January, 1813, after an action of fifteen minutes. Passed January 11, 1814.

13. To Captain Thomas M'Donough, of Delaware, commodore of the fleet on Lake Champlain.

14. To Captain Robert Henly, and Lieutenant Stephen Cassin, officers in that fleet, for the victory over the

British fleet on Lake Champlain, before Plattsburg, September 11, 1814. Passed October 20, 1814.

15. To Captain Lewis Warrington, of Virginia, of the sloop of war Peacock, for the capture of the British brig L'Epervier, Captain Wales, on the 29th April, 1814. Voted October 21, 1814.

16. To Captain Johnston Blakeley, of North Carolina, of the sloop of war Wasp, for the capture of the British sloop of war Reindeer, Captain Manners, June 28, 1814. Voted November 3d, 1814.

17. To Captain Charles Stewart, of Philadelphia, commander of the frigate Constitution, for the capture of the Cyane, Captain Gordon Falcon, and the Levant, Captain George Douglass, on the 28th February, 1815. Voted February 22, 1816.

18. To Captain James Biddle, of Philadelphia, commander of the sloop of war Hornet, for the capture of the sloop of war Penguin, on the 23d March, 1815. Voted February 22, 1816.*

SILVER MEDALS

Were decreed for good conduct to the following officers, and on the following occasions: (passed at the same time as the gold medals:)

To each of the commissioned officers of the frigates Constitution, United States, and Wasp, for the capture of the Guerriere, Macedonian, and Frolic.

To officers of the same rank of the Constitution, Captain Bainbridge, for the capture of the Java.

To officers the same rank who served under the late Captain James Lawrence, in the Hornet, when she took the Peacock.

To officers of the same rank and to the officers of the army on board the fleet of Captain Perry, on Lake Erie, and the nearest male relation of Lieutenant John Brooks†,

* See an account of the action in the Port Folio, Third Series vol. 6.

† Son of the present Governor of Massachusetts.

of the marines, who was killed in the action on Lake Erie.

To those citizens of Pennsylvania, who volunteered their services on board the American squadron on Lake Erie, in the battle 10th September, 1814, with each persons name thereon. Voted by the Legislature of Pennsylvania, January 31, 1814.

To each commissioned officer of the brig Enterprise, commanded by Lieutenant Burrows, in the action with, and victory over, the Boxer sloop of war.

To the same officers, and to the officers of the army, on board the squadron of Commodore M'Donough, in the victory on Lake Champlain; and to the nearest male relative of Lieutenant Peter Gamble, and of Lieutenant Stansbury, who were killed in that engagement.

To each commissioned officer on board the Wasp, Captain Blakeley, when he captured the Reindeer.

To the same officers of the Hornet, Captain Biddle, for good conduct in the action with the Penguin.

To the same officers of the Constiution, Captain Steuart, when he took the Cyane and Levant.*

GOLD MEDALS

Were voted to the following named officers of the American army, during the late war with England, for gallantry and good conduct, in the battles of Chippewa, Niagara, and Erie, in Upper Canada.

To Major General Brown, Brigadier Generals Ripley, and B. S. Miller: also to Major General Porter of the New-York Volunteers.

To Major General Scott, for distinguished services at the battles of Chippewa and Niagara, and for uniform gallantry and good conduct.

* For particulars of the actions between our navy, from the commencement of the American war, see "Clarke's Naval History of the United States." The details of those fought during the last war with England, are also given in "Bowen's Naval Monument."

To Major General Gaines, for defeating the British at the storming of Fort Erie, on the 15th August, 1814.

To Major General Macomb, for the defeat of the British, at Plattsburg, on the 11th September, 1814: repelling, with 1500 men aided by a body of militia, a veteran British army, greatly superior in numbers. Passed, November 3, 1814.

To Major General Jackson, "for valour, skill, and good conduct," in defeating the British under Sir Edward Packenham, before New-Orleans, January 8, 1815. Voted, February 27, 1815.

To Major General Wm. Henry Harrison, and Isaac Shelby, late Governor of Kentucky, for defeating the combined British and Indian forces, under Major General Proctor, on the Thames, in Upper Canada, on the 5th day of October, 1813; capturing the British army, with their camp, equipage, and artillery. Voted April 4, 1818.

NOTES.

NOTE A.

The district including the site of the battle fought between Gen. (then Col.) Armstrong's troops and the Indians, is now called "Armstrong County," and contained in 1812, according to the official census by the marshal of Pennsylvania, 6,413 inhabitants.

I read the copy of Col. Armstrong's letter to the Governor of Pennsylvania, (Wm. Denny) in one of the books of public documents in the office of the secretary of the Commonwealth, and can assure the Society, that the following account contains all the essential particulars of the action. The letter is very long, and minutely details the progress of his march, and the occurrences that took place during the expedition. The account is taken from "Franklin and Hall's Pennsylvania Gazette of September 23d, 1756."

"Saturday last, arrived an express from Col. Armstrong, of Cumberland county, with advice that he marched from Fort Shirley, on the 30th past, with about 300 of our provincial forces, on an expedition against Kitanning, a town of our Indian enemies on the Ohio, about 25 miles above fort Duquesne (Pittsburg.) On the third inst. he joined the advanced party at the Beaver Dams, near Franks town; and on the seventh, in the evening, being within 6 miles of Kitanning, the scouts discovered a fire in the road, and reported that there were but three or at most four Indians at it. It was not thought proper to attempt surprising those Indians at that time, lest if one should escape, the town might be alarmed; so Lieut. Hogg with twelve men was left to watch them, with orders not to fall upon them till day break: and our forces turned out of the path, to pass by their fire without disturbing them. About three in the morning, having been guided by the whooping of the Indian warriors at a dance in the town, they reached the river, 100 perches below the body of the town, near a corn field, in which a number of the enemy lodged out of their cabins, as it was a warm night. As soon as day appeared, and the town could be seen, the attack began in the corn field, through which our people charged, killing several of the enemy, and entered the town, Captain Jacobs, the chief of the Indians, gave the war-whoop and defended his house bravely through loop-holes in the logs, and the Indians generally refusing quarters which were offered them, declaring they were men, and would

not be prisoners, Col. Armstrong (who now received a wound in his shoulder by a musket ball,) ordered their houses to be set on fire over their heads, which was immediately done; when the Indians were told that they would be burnt if they did not surrender, one of them replied, "he did not care, as he could kill four or five before he died;" and as the heat approached, some began to sing. Some, however, burst out of their houses, and attempted to reach the river, but were instantly shot down. Capt. Jacobs, in getting out of a window, was shot, as also his squaw, and a lad called the king's son. The Indians had a number of spare arms in their houses, loaded, which went off in quick succession as the fire came to them; and quantities of gunpowder which had been stored in every house blew up from time to time, throwing some of their bodies a great height in the air. A body of the enemy on the opposite side of the river, fired on our people, and were seen to cross the river at a distance, as if to surround our men; they collected some Indian horses that were near the town, to carry off the wounded; and then retreated without going back to the corn-field to pick up those killed there in the beginning of the action. Several of the enemy were killed in the river, as they attempted to escape by fording it: and it was computed that in all between thirty and forty were destroyed. Eleven English prisoners were released, and brought away, who informed the colonel, that besides the powder, (of which the Indians boasted they had enough for ten years war with the English) there was a great quantity of goods burnt, which the French had made them a present of but ten days before. The prisoners also informed, that that very day, two batteaux of French Indians were to join Capt. Jacobs to march and take fort Shirley, and that 24 warriors had set out before them, the preceding evening, which proved to be the party that kindled the fire the night before: for our people returning, found Lieut. Hogg wounded in three places, and learnt that he had in the morning attacked the supposed party of three or four, at the fire place according to order, but found them too numerous for him. He killed three of them however at the first fire, and fought them an hour, when having lost three of his best men, the rest, as he lay wounded, abandoned him and fled, the enemy pursuing. Capt Mercer being wounded in the action, was carried off by his ensign and eleven men, who left the main body in their return, to take another road."

Annexed, is a return of the killed and wounded, and the names of the released prisoners. Capt Mercer,* with twenty-three persons, and four released prisoners afterwards returned safe.

The Corporation of Philadelphia, on the 5th January, 1757, addressed a complimentary letter to Col. Armstrong, thanking "him, his officers and men, for their gallant conduct, and presented him with a piece of plate, besides the silver medal. A silver

* Believed to be General Mercer of the U. S. army, who died near Prince ton, of the effects of wounds received in the battle at that town, in 1776.

medal was also presented to each of the commissioned officers, and " a small sum of money to be disposed of in the manner most agreeable to them."

NOTE B.

The medals were struck at the expense of the Society (chiefly composed of the religious society called Quakers,) formed for the purpose of promoting peace with the Indian tribes. The gentleman* to whom I owe the knowledge of this fact says further, " I well remember the striking of those medals by my father. They were executed in silver and presented to the Indians by the Society. The appropriate inscription on the reverse, is truly characteristic, and may serve to convey to posterity a just idea of the men of influence in those days."

NOTE C.

This medal was ordered to be struck by a resolve of Congress, of March 25th, 1776, and to be presented to Gen. Washington. A vote of thanks was also passed to him, " the officers and soldiers under his command, for their wise and spirited conduct in the siege and acquisition of Boston."

NOTE D.

This medal (which weighs 10 half Joannes,†) was ordered by a resolve of Congress of Nov. 4, 1779, which stated the particular defeats of Burgoyne's army and detachments from it. Journals of Congress 1777, p. 472. The reader is referred to " a state of the expedition from Canada, as laid before the House of Commons, by Lieut. General Burgoyne, London, 1780," for a variety of interesting details of the march, repeated battles, and progress from Canada to Saratoga of the British army : to the British Annual Register for 1779. p. 149 : also to " General Wilkinson's Memoirs," for many particulars never before published of that expedition, and of the capitulation of General Burgoyne : see also Gates' life in the Port Folio, new series, vol. 2d. with a plate of the medal.

NOTE E.

I cannot find any resolve for striking this medal. It was probably struck by the French government. The one I saw was of

* Mr. Joseph Richardson, assayer of the mint of the United States. Mr. R's father was a silversmith in Philadelphia, and the son of one of the original settlers of the province under William Penn. Mr. R. informed me that the original dies of the medals for " Col. Armstrong," and for " promoting peace with the Indians," were in his possession, and permitted me to have some medals struck from them. One of each is deposited in the cabinet of the Historical Society.

† Med. Repos. New-York, vol 4. p. 307

copper. Considering that Jones fought under the American flag, and that the victory over the Serapis was highly honourable to our country, he certainly deserved a medal. He had besides made several other captures, and had done great injury to the British. The action between the Richard and the Serapis was very severe, and lasted four hours. Jones' account of it, and a journal of his naval exploits, may be seen in Niles' Register, (Baltimore) vol. 2d. p. 296. Capt. Pearson's is inserted in the British Annual Register, Lond. 1779.—See also Clarke's Naval History of U. States. The Serapis carried 44 guns on two decks, the lower battery consisted of 18 pounders ; and the Countess of Scarborough, her consort, was a new ship of 22 guns. Jones' ship, the Richard, he says, only carried 34 12-pounders. The battle was fought by moonlight, off Flamborough head : to relieve himself from the superiority of his enemies, and to cover his ship from the fire of the Countess of Scarborough, Jones grappled with the Serapis, on which her consort ceased to fire, the captain knowing that by firing he must endanger the Serapis ; while the captain of the Alliance, the American ship in company with the Richard, fired three broadsides, which did much mischief to her. She sunk two days after the action. Pearson was knighted after his exchange, and made one of the officers of Greenwich hospital. He died a few years since.

On the 27th Feb. 1781, Congress passed a very complimentary resolve expressive of their sense of the military conduct of Capt. Jones, especially in the capture of the Serapis ; and of their approbation of the honour intended to be conferred on him by the King of France, (as communicated to them,) by investing him with the " cross of military merit " And on the 26th June of the same year, unanimously elected him captain of the " American," a 74 gunship ; but he was deprived of the honour of her command, in consequence of the loss of the French ship *Magnifique* 74, in the harbour of Boston, when Congress seized the opportunity to testify their gratitude to their good ally, by presenting him with the American to replace her. The King of France also presented him with a sword, the hilt of which was composed of gold, and bore the following flattering motto :

VINDICATI MARIS
LUDOVICUS XVI REMUNERATOR
STRENUO VINDICI.

NOTE F.

By the journals of Congress for July 26, 1779, it appears that the attack of the fort of Stony point was ordered by General Washington on the 10th July. General Wayne issued his orders on the 15th, on the night of which day the attack was successfully made. Congress passed a vote of thanks to Gen. Wayne, the officers and soldiers under his command, particularly mentioning Col. de Fleury, Major Stewart, Lieuts. Gibbons and Knox, the two

first of whom led the attacking columns, and the two last the parties ordered to destroy the double row of abbatis, which they did under a severe fire. The first of them lost 17 out of 20 men. Gibbons, Knox, and Mr. Archer, Gen. Wayne's aid, were promoted ; and the stores were divided among the troops. The fort was garrisoned by the 17th British regt. ; the grenadiers of the 71st. ; and commanded by Lieut. Col. Johnson, by whom a stout resistance was made. The prisoners amounted to 543. An excellent account of the gallant exploit may be seen in the British Annual Register for 1779, p. 192.* Not a musket was fired by the American troops ; and although the laws of war, and the principle of retaliation would have justified the sacrifice of the garrison in return for the cruel conduct of the British General Grey, when he surprised General Wayne near the Paoli tavern, on the Lancaster road, two years before, yet not a man was killed who asked for quarters.

The medal granted to General Wayne is superbly executed, and most tastefully designed. The description is taken from the original in the possession of General Wayne's son. It weighs 63 dwt. 18 grains. Mr. Gibbons is at present collector of the port of Richmond, Virginia. He and his gallant companion Knox were natives of Pennsylvania : Fleury was a Frenchman. Stewart was killed by a fall from his horse, near Charleston, S. Carolina, at the close of the American war. Archer died in Philadelphia, about the year 1786.

Captain Benjamin Fishbourne, of Philadelphia, was another of the Aids of General Wayne : both are highly praised by the General in his official letter.

NOTE G.

Three of those medals were struck by vote of Congress of 3d Nov. 1780, and presented to John Paulding, David Williams, and Isaac Van Vert, for " intercepting Major John Andre in the character of a spy, and notwithstanding the large bribes offered them for his release, nobly disdaining to sacrifice their country for the sake of gold, secured and conveyed him to the commanding officer of the district, whereby the dangerous and traiterous conspiracy of Benedict Arnold was brought to light, the insidious designs of the enemy baffled, and the United States rescued from impending danger." A pension of 200 dollars annually during life, was bestowed on each of them. The medals were presented in the presence of the whole army, the year following, by General Washington, with a copy of the resolve ordering the medals, and of the vote of thanks. The design for the medal was given in the resolve of Congress. Two of those faithful men still live in the State of New-York. Paulding died February, 1818.

When we reflect upon the calamitous events that in all probability would have resulted to the United States from the success of

* And also in the Analectic Magazine, Philadelphia, 1819.

the deep and treasonable plot which those faithful men defeated, the mind shudders: for the stern integrity and love of country exhibited by them, they deserve to be held in everlasting and grateful remembrance by every true American—by every friend to the "asylum of the oppressed throughout the world."

NOTE H.

These medals were struck by a resolve of Congress of March 9, 1781, which stated that 80 cavalry and 237 infantry of the U. States, and 553 southern militia, obtained a complete victory over a select and well appointed detachment of more than 1100 British, commanded by Lieut. Col. Tarleton General Lee says, "The advance of McArthur reanimated the British line, which again moved forward, and outstretching our front endangered Howard's right. This officer instantly took measures to defend his flank, by directing his right company to change its front; but mistaking this order, the company fell back; upon which the line began to retire and General Morgan directed it to retreat to the cavalry. This manœuvre being performed with precision, our flank became relieved, and the new position was assumed with promptitude. Considering this retrograde movement the precursor of flight, the British line rushed on with impetuosity and disorder: but as it drew near, Howard faced about and gave it a close and murderous fire. Stunned by this unexpected shock, the most advanced of the enemy recoiled in confusion. Howard seized the happy moment, and followed his advantage with the bayonet. THIS DECISIVE STEP GAVE US THE DAY. The reserve having been brought near the line, shared in the destruction of our fire, and presented no rallying point to the fugitives. A part of the enemy's cavalry having gained our rear, fell on that portion of our militia who had retired to their horses. Washington struck at them with his dragoons, and drove them before him. Thus by simultaneous efforts, the infantry and cavalry of the enemy were routed. Morgan pressed home his success, and the pursuit became vigorous and general."—Lee's Memoirs, vol. 1, p. 258.

NOTE I.

Speaking of the battle of the Cowpens, General Lee says, "The honour of the day was claimed by both sides, while the benefits flowing from it were by both yielded to the Americans—the first belonged to neither, and the last to us."—Memoirs, vol. 2d, p. 213.

NOTE K.

Hercules, according to the ancient mythology, while in his cradle was said to have strangled two serpents, which had assaulted him, having been assisted by the protection of the goddess Pallas.

Infant America like the Hercules in his cradle, had destroyed two British armies. The two epochs of those exploits are marked in the exergue 17 Oct. 1777, Burgoyne's surrender at Saratoga; and 19th October, 1781, Cornwallis' surrender at York town, Virginia. The motto is from Horace, ode 4th, book 3d, verse 20. The allusion is highly appropriate and classical. I cannot find any resolve of Congress for this medal. It was, probably, struck by the French government.

NOTE L.

The war between the United States and France took place without a formal declaration, in the year 1798. The occasion was the repeated captures of our merchantmen by the cruisers, both public and private, of France, then governed by a directory; the violation of treaties between the two countries: the refusal to listen to any demand of reparation for losses sustained from depredation on our commerce: refusal to negotiate on fair and honourable terms, or even to receive our messengers of peace, (C. C. Pinckney, John Marshall, now chief justice of the United States, and Elbridge Gerry,) and demanding a tribute together with the most humiliating submissions as the price of an interview! Peace was made after Bonaparte became first consul, and preliminaries signed Sept. 3d, 1800, by W. R. Davies, of N. Carolina, Wm. Vans Murray of Maryland, then the minister of the United States at the Hague, and Oliver Elsworth of Connecticut, on the part of the United States; and Joseph Bonaparte, Ræderer and Fleurieu on the part of France.

An account of the action between the Constellation and the Vengeance may be seen in a biographical sketch of Capt. Truxtun in the Port Folio, new series, vol. 2d, with an engraving of the medals, and in Clark's Naval History of the United States.

NOTE M.

An account of the proceedings against Tripoli may be seen in the biography of Commodore Preble in the Port Folio, new series, vols. 3 and 4.

The United States have set the first example in the world of obliging the Barbary powers to respect their flag, by the force of arms; instead of a disgraceful tribute, which some of the European powers still continue to pay. The history of our expeditions against those pests of society is well worth recording in a separate work. The facts that could be detailed would be highly honourable to our brave countrymen: to their spirit and decision as negotiators: to their extended humanity as regards the liberation of the captives of other nations: and as respects the influence which may be produced upon the happiness of mankind by their example of flogging those barbarians into peace.

END OF VOLUME III.

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